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THE

PUBLIC GENERAL STATUTES

PASSED IN THE

THIRTY-FIFTH & THIRTY-SIXTH YEARS

OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA,

1872.

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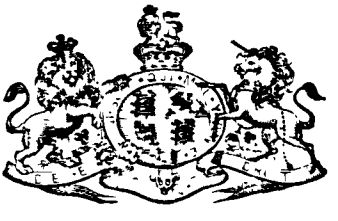
WITH

A LIST OF THE LOCAL AND PRIVATE ACTS,

TABLES SHOWING THE EFFECT OF THE YEAR'S LEGISLATION,

AND A COPIOUS INDEX.



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98. An Act for promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary in Ireland. 751

The Acts contained in the following List, being PUBLIC ACTS of a Local Character, are placed amongst the LOCAL AND PERSONAL ACTS.

i. An Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Gresheruish and Lynn Deeps.

xliii. An Act to confirm a scheme under "The Metropolitan Commons Act, 1866," relating to Hackney Commons.

xliv. An Act to confirm a Provisional Order under the "Public Health (Scotland) Act, 1867," relating to the Burgh of Brechin.

xlv. An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Kingston-upon-Hull.

lxiii. An Act to confirm an Order made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Salcombe.

lxiv. An Act to confirm Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same.

lxv. An Act to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for London to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same.

lxvii. An Act to confirm a Provisional Order made by the Lord Lieutenant of Ireland in Council, under the Tramways (Ireland) Act, 1860, and the Tramways (Ireland) Amendment Act, 1861, extending the time for completing Tramways in the Borough of Cork.

lxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Cruden, Dundrum, Gill, Gosport, Herne Bay, Llanfairfechan, Skerries, and Withernsea.

lxix. An Act to confirm certain Provisional Orders made by the Board of Trade under The Gas and Water Works Facilities Act, 1870, relating to Bungay Gas, East Ardsley Gas, Elstree and Boreham Wood Gas, Portsea Island Gas, Wellington (Salop) Gas, Bridge of Allan Water, Cosham, Havant, and Emsworth Water, Gosport Water, Wells Water, Blaenavon Gas and Water, and Ystrad Gas and Water.

lxx. An Act to confirm certain Provisional Orders made by the Board of Trade under The Gas and Water Works Facilities Act, 1870, relating to Cleator Moor Gas, Ossett Gas, Ruthin Gas, Swinton and Mexbrough Gas, Kettering Water, and Margate Water.

xcii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Districts of East Barnet, Banbury, Glastonbury, Knaresborough and Tentergate, Nottingham, Shipley, Soothill Upper, and Swadlincote.

xciii. An Act to confirm certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Aldborough and Lynmouth.

clvi. An Act to confirm a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Waterford.

clvii. An Act to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Birmingham (Corporation), Southwold, and Halesworth.

clviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bristol Corporation, Bristol and Eastern District, Hull, Leamington and Warwick, Norwich and Taverham, Southport, Stirling and Bridge of Allan, and Tynemouth.

clxxxvi. An Act to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the Royal Burgh of Dumbarton.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

P. i. AN Act to confirm certain Orders made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Greshernish and Lynn Deeps.

ii. An Act to enlarge the powers of the Bristol Waterworks Company.

iii. An Act to empower the Southwark and Vauxhall Water Company to raise further money; and for other purposes.

iv. An Act to extend the time granted to the Watton and Swaffham Railway Company for the purchase of lands and for the construction of the Watton and Swaffham Railway.

v. An Act to extend the powers of the Gloucester Gaslight Company; and for other purposes.

vi. An Act to incorporate the Glasgow Court Houses Commissioners, and to authorise them to borrow a further sum of money; and for other purposes.

vii. An Act for making a railway in the county of Kerry, from Castleisland to Gortatlea, on the Great Southern and Western Railway; and for other purposes.

viii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Cork to make a diversion of the substituted Railways of the Cork, Blackrock, and Passage Railway, authorised by "The Cork Improvement Act, 1868;" to authorise agreements with the Cork, Blackrock, and Passage Railway Company and the Cork Harbour Commissioners; to raise further moneys; and for other purposes.

ix. An Act for empowering the Berwick Harbour Commissioners to make a Wet Dock and other Works, and for conferring other powers on those Commissioners, and for extending and amending the enactments relating to them; and for other purposes.

x. An Act for enabling the Dundee Water Commissioners to relinquish certain Works for supplying Water to Dundee and suburbs and places adjacent, authorised by "The Dundee Water Extension Act, 1871," and to make new and other Works in substitution thereof; and for other purposes.

xi. An Act for amending the Act relating to the draining and improving of certain Fen Lands within the manors and parishes of Upwell and Outwell and in the parishes of Denver and Welney, in the Isle of Ely and counties of Cambridge and Norfolk; and for other purposes.

xii. An Act for extending the time for the completion of certain portions of the Glasgow and Kilmarnock Joint Line of Railway; for reviving the powers of compulsory purchase of Lands for the purposes thereof; for authorising the construction of a Branch Railway in connexion with the Joint Line; for empowering the Glasgow and South-western Railway Company to acquire Land at Kilmarnock; and for other purposes.

xiii. An Act to abolish the Tyne Coal Dues, and in lieu thereof to provide new Dues; to extinguish the right to increase rates under "The Harbours and Passing Tolls, &c. Act, 1861," and to extend the time for the completion of the piers and other works.

xiv. An Act for the appointment of a Stipendiary Magistrate for the Petty Sessional Division of Pontypridd in the county of Glamorgan; and for other purposes.

xv. An Act to enable the Local Board of Health for the Town and District of Swansea to provide for certain of their existing debts by the issue of Annuities and Debenture Stock; and for other purposes.

xvi. An Act for the Incorporation of the Liverpool Hydraulic Power Company, and for other purposes.

xvii. An Act for making additional provision for the supply of Gas to the Burgh of Dundee and suburbs and places adjacent; for amending and extending the Act relating to such supply; for extending the limits of supply; and for other purposes.

xviii. An Act for the Incorporation of the Hull Hydraulic Power Company, and for other purposes.

xix. An Act for making and maintaining a Bridge across the river Taff at a place called Castell Coch, in the parishes of Pentyrch and Eglwysilan, in the county of Glamorgan, and for making convenient approaches thereto.

xx. An Act for enlarging the powers of the Royal Incorporation of Hutchesons Hospital in the city of Glasgow, and for regulating the management thereof and of the Mortifications therewith connected; and for other purposes.

xxi. An Act to enable the Rhondda Valley and Hirwain Junction Railway Company to make a deviation in and extension of their authorised undertaking; and for other purposes.

xxii. An Act to authorise the establishment of a Market and the construction of a Town Hall at Staines in the county of Middlesex; and for other purposes.

xxiii. An Act to amend the Gaslight and Coke Company's Act, 1868, and the Schemes confirmed under the authority of the City of London Gas Act, 1868, for the amalgamation of the City of London Gaslight and Coke Company and the Great Central Gas Consumers Company with the Gaslight and Coke Company, and to authorise the Gaslight and Coke Company to raise additional capital; and for other purposes.

xxiv. An Act to authorise the Great Eastern Railway Company to make a deviation in the connexion between their Railway and the North London Railway, and to abandon certain railways, and to extend the time for making certain other railways, and to acquire additional lands, and to confer further powers upon the said Company with reference to their undertaking and capital; and for other purposes.

xxv. An Act for uniting and continuing the term of the Glasgow and Renfrew Bridge and the Glasgow and Three Mile House Turnpike Road Trusts, and appointing a new body of Trustees; and for other purposes.

xxvi. An Act to authorise the East Gloucestershire Railway Company to reduce their Share Capital; and for other purposes.

xxvii. An Act to authorise improvements in and near Serle Street and Cook's Court in the parish of Saint Clement Danes in the county of Middlesex; and for other purposes.

xxviii. An Act to enable the Yarmouth and Ventnor Railway, Tramway, and Pier Company to make deviations in their authorised undertakings; and for other purposes.

xxix. An Act to authorise the appropriation of a part of the disused burial ground of Saint Andrew's, Gray's Inn Road, in the county of Middlesex, to the purpose of erecting thereon school buildings for the district parish of the Holy Trinity, Gray's Inn Road; and for other purposes.

xxx. An Act to amend an Act passed in the fifth and sixth year of the reign of His late Majesty King William IV., intituled "An Act for improving and regulating the town "of Aberystwyth in the county of Cardigan, and for supply-"ing the inhabitants thereof with water," to authorise the Commissioners executing such Act to construct additional waterworks, to purchase gasworks, establish markets, to extend the limits of the district, to borrrow further moneys; and for other purposes.

xxxi. An Act for enabling the Mayor, Aldermen, and Citizens of the city of Manchester in the county of Lancaster to make new streets with a bridge over the River Irwell, and to acquire additional lands for Cemetery and other purposes, and for making further provision respecting the borrowing of money by them; and for other purposes.

xxxii. An Act for regulating the affairs of the Burgh of Paisley and the River Cart Navigation; and for other purposes.

xxxiii. An Act to incorporate a Company to be called "The Ilfracombe Gas Company," to provide for the lighting of the town and parish of Ilfracombe; and for other purposes.

xxxiv. An Act for the better sewering and draining of the Borough of Darlington, and the applying of the Sewage to the Irrigation of Land; for extending the existing main or outfall sewer; and for other purposes.

xxxv. An Act to authorise the Newport and Pillgwenlly Waterworks Company to construct further works and to raise additional capital; and for other purposes.

xxxvi. An Act for incorporating and conferring powers on the Proprietors of the Corn Exchange in Mark Lane in the City of London; and for other purposes.

xxxvii. An Act to incorporate the Trustees of Abraham Hill's School Trust, and to confer upon them powers for the better administration of the said Trust.

xxxviii. An Act to incorporate the Wilmslow and Alderley Edge Gas Company, and grant them powers to improve their works, increase their capital and limits of supply; and for other purposes.

xxxix. An Act to amend the Acts relating to the Itchen Floating Bridge; and for other purposes.

xl. An Act for enabling the Devon and Somerset Railway Company to raise additional capital; and for other purposes.

xli. An Act to extend the Municipal Boundaries of the City of Glasgow; to regulate the Office of the Town Clerk; and for other purposes.

xlii. An Act for incorporating and conferring further powers on the Altrincham Gas Company.

P. xliii. An Act to confirm a scheme under "The Metropolitan Commons Act, 1866," relating to Hackney Commons.

P. xliv. An Act to confirm a Provisional Order under the "Public Health (Scotland) Act, 1867," relating to the Burgh of Brechin.

P. xlv. An Act to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Kingston-upon-Hull.

xlvi. An Act to authorise the North British, Arbroath, and Montrose Railway Company to make and maintain certain new Railways; and for other purposes.

xlvii. An Act to extend for a further period the time limited by "The Mid-Wales Railway Act, 1869," for the compulsory purchase of lands and completion of works authorised by "The Mid-Wales Railway (Western Extensions) Act, 1865," and to enable the Mid-Wales Railway Company to use a portion of the Railway and the Barton Station of the Great Western Railway Company at Hereford; and for other purposes.

xlviii. An Act to authorise a Deviation from the authorised line of the Longton, Adderley Green, and Bucknall Railway, the abandonment of some portions of that railway, and to revive and extend the time for the purchase of lands for and to extend the time for the completion of that railway; and for other purposes.

xlix. An Act to make provision for the future Maintenance and Repair of certain Roads now under the care of the Commissioners of the Metropolis Turnpike Roads North of the Thames, and to amend "The Annual Turnpike Acts Continuance Act, 1871;" and for other purposes.

l. An Act to authorise the Blyth and Tyne Railway Company to make new Lines of Railway at and near North Shields, to alter their authorised Newbiggin Branch Railway; and for other purposes.

li. An Act to incorporate the Carnarvon Consumers Gas Company, and to enable them to supply with Gas Carnarvon and its neighbourhood.

lii. An Act to improve and enlarge the present Market Place, and to erect a new covered Market, Buildings, and Conveniences in the town and parish of Whitby, in the county of York; and for other purposes.

liii. An Act to authorise the construction of the Severn Tunnel Railway; and for other purposes in connexion therewith.

liv. An Act to authorise the extension to Cromer of the East Norfolk Railway, and an alteration of that railway, and to give further time for the compulsory purchase of lands for that railway, and for its completion; and for other purposes affecting the East Norfolk Railway Company and the Great Eastern Railway Company.

lv. An Act to confer additional powers on the Neath and Brecon Railway Company; and for other purposes.

lvi. An Act for supplying with Water the town and district of Newtown in the county of Montgomery.

lvii. An Act for conferring further powers on the Cheshire Lines Committee, and upon the three Companies represented upon that Committee; for amending the Acts relating to and making further provision respecting the railways and works belonging to or under the management of the Committee; and for other purposes.

lviii. An Act to extend the powers of the Metropolitan Railway Company with respect to their railway between Moorgate and Tower Hill; and for other purposes with relation to the same Company.

lix. An Act for providing additional Market Accommodation for the town of Sheffield, and to amend the Sheffield Market Act, 1847; and for other purposes.

lx. An Act to make provision for the payment of the debts and the application of the future Revenues of the Crystal Palace and South London Junction Railway Company; and for other purposes.

lxi. An Act to amend the Madras Irrigation and Canal Acts in reference to the raising of money.

lxii. An Act for extending the time for the completion of the Poole and Bournemouth Railway; and for other purposes.

P. lxiii. An Act to confirm an Order made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Salcombe.

P. lxiv. An Act to confirm Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same.

P. lxv. An Act to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for London to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same.

lxvi. An Act for amending and extending The Thames Embankment Act, 1862; and for other purposes.

P. lxvii. An Act to confirm a Provisional Order made by the Lord Lieutenant of Ireland in Council, under the Tramways (Ireland) Act, 1860, and the Tramways (Ireland) Amendment Act, 1861, extending the time for completing Tramways in the borough of Cork.

P. lxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Cruden, Dundrum, Gill, Gosport, Herne Bay, Llanfairfechan, Skerries, and Withernsea.

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P. lxx. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Cleator Moor Gas, Ossett Gas, Ruthin Gas, Swinton and Mexbrough Gas, Kettering Water, and Margate Water.

lxxi. An Act for enabling the Trustees of the Port and Harbours of Greenock to make a Wet Dock and approaches and other works; and for other purposes.

lxxii. An Act for incorporating the Tamworth Gaslight and Coke Company, and extending their powers, and for authorising additional Works and the raising of further Moneys; and for other purposes.

lxxiii. An Act to enable the Local Board for the District of Birstal to purchase the Birstal Gasworks; to take Lands for Sewage purposes; to provide Markets, a Town Hall, and other public buildings; and for other purposes.

lxxiv. An Act to confer further powers on the Waterford and Central Ireland Railway Company and the Kilkenny Junction Railway Company; and for other purposes.

lxxv. An Act to enable the Local Board for the district of Lymm to make and supply Gas; to purchase the Undertaking of the Lymm Gas Company (Limited); to confer other powers in relation to Gas on the said Local Board; and for other purposes.

lxxvi. An Act for making a Railway from Sandbach to Winsford, in the county of Chester; and for other purposes.

lxxvii. An Act to facilitate the construction, improvement, maintenance, and regulation of Piers in the Islands of Orkney; for making better provision for the conservancy of the Harbours therein; and for other purposes.

lxxviii. An Act for empowering the Mayor, Aldermen, and Burgesses of the Borough of Bolton to make Street Improvements and additional Waterworks, and for transferring to them Gasworks; and for amending the Acts relating to the Borough; and for other purposes.

lxxix. An Act for better supplying with Water the Borough of Bridport and other places in the county of Dorset.

lxxx. An Act to enable the Local Board for the district of Hindley in the county of Lancaster to purchase the Undertaking of the Hindley Gas, Coke, Meter, and Fitting Company, Limited, and to supply Gas within the said district and the neighbourhood thereof; to erect Waterworks; and to confer other powers in relation to Gas and Water on the said Local Board; and for other purposes.

lxxxi. An Act for authorising additional Works in connexion with the Holborn Valley and Farringdon Market Improvements; and for other purposes.

lxxxii. An Act for making and maintaining a General Market, on or near to the site of the Old Newport Market, and certain new Streets and Improvements in connexion therewith, in the parishes of Saint Ann, Soho, and Saint Martin-in-the-Fields.

lxxxiii. An Act for authorising the Furness Railway Company to provide and use Steam and other Vessels on Windermere Lake and Coniston Lake; and for other purposes.

lxxxiv. An Act for embanking and reclaiming certain mud or slob lands in the county of Wexford.

lxxxv. An Act for making a Railway from the Belfast and Northern Counties Railway at Ballymena to Cushendall and Redbay; and for other purposes.

lxxxvi. An Act for vesting the Undertaking of the Brighton, Hove, and Preston (Constant Service) Waterworks Company in the Corporation of Brighton, and for extending the Limits for the Supply of Water to certain neighbouring Places; and for other purposes.

lxxxvii. An Act for conferring additional powers on the London and North-western Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for other purposes.

lxxxviii. An Act for making a Railway from Newton Stewart to Whithorn and a Tramway to Garliestown, in the county of Wigtown; and for other purposes.

lxxxix. An Act for authorising the Wainfleet and Firsby Railway Company to extend their Railway from Wainfleet All Saints to Skegness; and to raise further Moneys; and for other purposes.

xc. An Act to revive and extend the powers of the several Acts relating to the "Kilrush and Kilkee Railway and Poulnasherry Reclamation Company" passed in the years 1860, 1861, and 1865; and for other purposes.

xci. An Act for making Railways in the counties of Lanark and Stirling, to be called "The North Monkland Railways;" and for other purposes.

P. **xcii.** An Act to confirm certain Provisional Orders of the Local Government Board relating to the Districts of East Barnet, Banbury, Glastonbury, Knaresborough and Tentergate, Nottingham, Shipley, Soothill Upper, and Swadlincote.

P. **xciii.** An Act to confirm certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Aldborough and Lynmouth.

xciv. An Act for authorising the Sutton Harbour Improvement Company to construct Tramways and other Works and to raise further Moneys; and for other purposes.

xcv. An Act to enable the Witney Railway Company to borrow further Moneys; to confer powers with reference to traffic and other arrangements on the Witney, Great Western, and East Gloucestershire Railway Companies; and for other purposes.

xcvi. An Act to alter and amend the provisions of "The Limerick Markets Act, 1852," and "The Limerick Markets Act, 1862," with reference to Tolls, and to give further powers to the Limerick Markets Trustees; and for other purposes.

xcvii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Leeds to make new and improve existing Streets; to make further provision with respect to Streets and Buildings; to raise further Moneys for the providing of Parks; and for the further Improvement and better Government of the said Borough; and for other purposes.

xcviii. An Act to enable the Trustees of the River Weaver Navigation to make a Communication at Anderton between their Navigation and the Trent and Mersey Canal, and for other purposes with respect to the same Trust.

xcix. An Act for conferring additional powers upon the Furness Railway Company for the construction of Works and the raising of Money, and otherwise in relation to their Undertaking; and for other purposes.

c. An Act for abolishing the compulsory Metage on Grain imported into the port of London and for commuting the metage dues received by the Corporation of the city of London, into a fixed due, and for creating thereby a Fund to be applied towards the preservation of Open Spaces near London; and for other purposes connected therewith.

ci. An Act for enabling the Local Board of Health for the District of the Borough of Warwick to execute Works for the Improvement of the Water Supply of their District; and for other purposes.

cii. An Act to authorise the Hemel Hempsted and London and North-western Railway Company to extend their Railway at Boxmoor; to divert and alter the line and levels of their Extension to Harpenden; and for other purposes.

ciii. An Act to authorise the construction of Railways between Canterbury and Herne Bay, in the county of Kent; and for other purposes.

civ. An Act to extend the limits of the jurisdiction of the Rhyl Improvement Commissioners, and to enable them to make new and extend existing Roads, to construct Works for Sewerage and Sewage Utilization, to acquire the Undertaking of the Rhyl Bridge Company and the Rhyl Promenade Pier Company, Limited; and to make further provision with respect to new Streets and Buildings, and the Improvement and Government of the Town of Rhyl.

cv. An Act for securing the Purification and preventing the Pollution of the Water of the Trent and Leen in and in the neighbourhood of the town of Nottingham; and for other purposes.

cvi. An Act to authorise the construction of a Railway from Waterford to Dungarvan and Lismore, in the county of Waterford, to be called "The Waterford, Dungarvan, and Lismore Railway;" and for other purposes.

cvii. An Act for empowering the Local Board of Health for the District of Haworth, in the parish of Bradford in the West Riding of the county of York, to make and to supply Gas; and for confirming an Agreement between them and the Haworth Gas Company, Limited, for the Purchase of that Company's Undertaking; and for conferring powers on the Local Board in relation to the Regulation of Buildings, Streets, Slaughter-houses, and other matters; and for other purposes.

cviii. An Act to authorise the Local Board of Health for the District of Keighley to construct additional Waterworks; to confer upon them further powers with respect to Works heretofore authorised to be constructed; to make fresh Regulations with respect to Streets and Buildings; and for other purposes.

cix. An Act to authorise the construction of a Railway from the South Wales Railway, in the parish of Lydney, across the River Severn, to Holly Hazle Brook, in the parish of Berkeley, with Branches; and for other purposes.

cx. An Act to authorise the Construction of the Louth and East Coast Railway.

cxi. An Act for the amalgamation of the Greenock and Ayrshire Railway Company with the Glasgow and South-western Railway Company; and for other purposes.

cxii. An Act to define and extend the powers of the Corporation and of the Local Board of Health of Darlington in relation to Gas and Water Supply, and other matters; to extend the Boundaries of the Borough; to authorise the construction of River Diversions, Bridge Improvement, Gasworks, and other Works; to amend the Acts in force within the Borough; to borrow Money; and for other purposes.

cxiii. An Act for extending the boundaries of the municipal borough of Barrow-in-Furness; for making the extended borough a separate parish; for empowering the Corporation of the borough to construct new Gasworks and to make new Streets; and for other purposes.

cxiv. An Act for enabling the Caledonian Railway Company to improve certain of their existing Lines and Stations, to make certain new Branch Lines, and to raise additional Money; and for other purposes.

cxv. An Act to confer further powers on the City of Glasgow Union Railway Company and the Glasgow and South-western Railway Company; and for other purposes.

cxvi. An Act for conferring further powers on the Lancashire and Yorkshire Railway Company.

cxvii. An Act to enable the Louth and Lincoln Railway Company to abandon the construction of a portion of their Railway and make a Deviation or substituted Line of Railway in lieu thereof; to revive the powers conferred upon the said Company by the Louth and Lincoln Railway Act, 1866; and for other purposes.

cxviii. An Act for enabling the Midland Railway Company to construct Railways between Nottingham and Saxby; and for other purposes.

cxix. An Act to amend "The Hereford Improvement Act, 1854," and "The Hereford Improvement Act, 1854, (Correction of Oversight) Act, 1855;" and for other purposes.

cxx. An Act for authorising the construction of Railways from near Monmouth to Coleford, in the counties of Monmouth and Gloucester; and for other purposes.

cxxi. An Act to authorise the Lord Provost, Magistrates, and Council of the City of Glasgow to raise Moneys for the construction of Tramways in the City of Glasgow and its neighbourhood.

cxxii. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Liverpool to acquire certain Tramways in Liverpool; and for other purposes.

cxxiii. An Act to confer various powers on the North British Railway Company in connexion with their Undertaking and Capital, including powers to make several Railways and Byelaws for Steam Vessels; also to authorise Agreements between the Company and the Corporation of Edinburgh; and to amalgamate the Northumberland, Central, and Leslie Railway Companies with the Company; and to provide for the Purchase of the Shares in the Coatbridge Undertaking; and for the Consolidation of certain Guaranteed and Preference Stocks; and for other purposes.

cxxiv. An Act to enable the Severn and Wye Railway and Canal Company to make certain Branches from their Railway; and for other purposes with respect to the said Company.

cxxv. An Act for authorising the Wallasey Local Board to make and maintain Works in connexion with their Seacombe and Egremont Ferries, and to extend their Waterworks, and to raise further Moneys; and for other purposes.

cxxvi. An Act to enable the Burry Port and Gwendreath Valley Railway Company to construct further Works at Burry Port in the parish of Pembrey in the county of Carmarthen; and for other purposes.

cxxvii. An Act for the sale and transfer of the Undertaking of the Hoylake Railway Company, and for enabling the Hoylake and Birkenhead Tramway Company to make and maintain Tramways from the Hoylake Railway to Woodside Ferry and other places in Birkenhead, in the county of Chester; and for other purposes.

cxxviii. An Act to confer further powers upon the Great Northern Railway Company.

cxxix. An Act for conferring further powers on the Great Western Railway Company in relation to their own Undertaking and the Undertakings of other Companies; and for other purposes.

cxxx. An Act for authorising the Powell Duffryn Steam Coal Company (Limited) to construct certain Railways in the parish of Aberdare in the county of Glamorgan; and for other purposes.

cxxxi. An Act to enable the Tyne Improvement Commissioners to construct a Dock at or near the Coble Dene, with River Walls, Railways, and other Works; to consolidate, alter, and define the application of all or some of the Funds of the said Commissioners; and for other purposes.

cxxxii. An Act to empower the South Devon Railway Company to extend and improve their Sutton Harbour Branch Railway; to confer upon them further powers in relation to their own Undertaking and the Undertakings of other Companies; and for other purposes.

cxxxiii. An Act for making a Railway from Truro to Perran in the county of Cornwall; and for other purposes.

cxxxiv. An Act for enabling the Great Southern and Western Railway Company to effect a Communication between their Railway and the North Wall, Dublin, and the Works of the London and North-western Railway Company at the North Wall, Dublin; and for other purposes.

cxxxv. An Act to incorporate a Company for making "The Ryde and Newport Railway;" and for other purposes.

cxxxvi. An Act to enable the Athenry and Tuam Railway Company to extend their Railway to Claremorris; and for other purposes.

cxxxvii. An Act to incorporate a Company for making a Subway under the River Thames, to be called "The Temple Subway."

cxxxviii. An Act for connecting the Glasgow and Kilmarnock Joint Line of Railway and the Hamilton Branch of the Caledonian Railway with the City of Glasgow Union Railway; and for other purposes.

cxxxix. An Act to enable the Great Northern Railway Company to construct Railways in Nottinghamshire and Derbyshire; and for other purposes with relation to the same Company.

cxl. An Act for conferring additional powers on the Midland Railway Company for the construction of Works and for the raising of further Capital, and for other purposes in relation to their own Undertaking and the Undertakings of other Companies.

cxli. An Act for enabling the North-eastern Railway Company to construct Railways and Works in the county of Durham, and at Hull; and for other purposes.

cxlii. An Act for conferring further powers upon the Sevenoaks, Maidstone, and Tunbridge Railway Company, and for authorising arrangements between them and the London, Chatham, and Dover Railway Company; and for other purposes.

cxliii. An Act to authorise the construction of Tramways in the Borough and Parish of Sheffield in the West Riding of the county of York; and for other purposes.

cxliv. An Act to enable the Wallingford and Watlington Railway Company to abandon parts of their authorised Railways, and to sell and transfer their Undertaking to the Great Western Railway Company; and for other purposes.

cxlv. An Act to effect a settlement of the affairs of the European Assurance Society and of other Companies.

cxlvi. An Act to extend the Boundary of the Borough of Bury, and confer further powers upon the Bury Improvement Commissioners for the supply of Water, and other purposes.

cxlvii. An Act to authorise the construction of the Dunmanway and Skibbereen Railway; and for other purposes.

cxlviii. An Act for making a Railway from the Great Western Railway at Dauntsey, in the county of Wilts, to Malmesbury, in the same county; and for other purposes.

cxlix. An Act for extending the Boundaries of the Town and Borough of Rochdale; for defining and extending the powers of the Corporation in relation to the Improvement and Management of Streets in the Borough, and to Police and other matters of Local Government, and to Gas and Water Supply, and to the Cemetery, and to Markets; and for other purposes.

cl. An Act for distributing the remaining Assets and finally winding up the affairs of the Southwark Bridge Company, and dissolving the Company; and for other purposes.

cli. An Act incorporating and conferring further powers on the Tonbridge Gas Company.

clii. An Act for enabling the Great Western Railway Company to construct Railways from the Swansea Branch of their Railway to the Swansea Vale Railway; for vesting in them the Undertaking of the Company of Proprietors of the Swansea Canal Navigation; and for other purposes.

cliii. An Act to enable the South-eastern Railway Company to alter a portion of their authorised Greenwich and Woolwich Line, to construct a short Line in Southwark to connect their Cannon Street and Charing Cross Railway with the London, Chatham, and Dover Railway, to use part of the London, Chatham, and Dover Railway; and to confer various other powers upon the Company with respect to their existing and authorised Undertakings.

cliv. An Act to provide for the building and endowment by the Clothworkers Company of a new Church in lieu of Lambe's Chapel, Cripplegate, for the disposal of the Site of such Chapel and of other property comprised in the Will of William Lambe, citizen and clothworker of London, deceased, and for the variation of certain charitable gifts; and for other purposes.

clv. An Act to incorporate a Company for maintaining an existing Railway from the Gorsedda Slate Quarry, in the county of Carnarvon, to Portmadoc, in the same county; and for making a Railway from Blaen y Pennant, in the same county, to join the said existing Railway; and for other purposes.

P. clvi. An Act to confirm a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Waterford.

P. clvii. An Act to confirm certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," relating to Birmingham (Corporation), Southwold, and Halesworth.

P. clviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bristol Corporation, Bristol and Eastern District, Hull, Leamington and Warwick, Norwich and Taverham, Southport, Stirling and Bridge of Allan, and Tynemouth.

clix. An Act for incorporating the Brighton and London Sea Water Company, and for authorising them to construct Works for supplying Sea Water for public and private purposes in Brighton, and in certain Districts between Brighton and London, and in the Metropolitan Districts; and for other purposes.

clx. An Act to regulate the Management of the Port and Harbour of Alloa, and to authorise an Extension and Improvement of the existing Dock and the formation of a new Dock at the said Harbour, and other Works; and for other purposes.

clxi. An Act to confer certain powers on the Girvan and Portpatrick Junction Railway Company over portions of the Portpatrick Railway; and for other purposes.

clxii. An Act to authorise the Bristol Port and Channel Dock Company to alter certain of their authorised Works, to divide the Shares in their Capital into Half Shares; and for other purposes.

clxiii. An Act to enable the Metropolitan Board of Works to widen and improve certain Streets and to make certain new Streets within the Metropolis.

clxiv. An Act to confer certain powers and privileges upon "The Ocean, Railway, and General Travellers Assurance Company, Limited," for the purposes of the Assurance of Persons against Accident by Sea and Land.

clxv. An Act to further extend the time for the purchase of Lands and for the construction of the Works authorised by "The Lymington Harbour and Docks Act, 1864."

clxvi. An Act to further extend the time for the purchase of Lands and for the construction of the Works authorised by The Medway Docks Act, 1866.

clxvii. An Act to authorise the Great Northern Railway Company to construct Railways in Nottinghamshire and Leicestershire.

clxviii. An Act to authorise the construction of Street Tramways in the District of Newcastle-upon-Tyne; and for other purposes.

clxix. An Act to enable the Isle of Wight (Newport Junction) Railway Company to extend their Line to join the authorised Line of the Yarmouth and Ventnor Railway, Tramway, and Pier Company; to authorise the construction of certain other new Railways and Works; revival of Powers; additional Capital; and for other purposes.

clxx. An Act for making a Railway in the county of Warwick from the Bearley Station of the Stratford-upon-Avon Railway to the Alcester Station of the Evesham and Redditch Railway; and for other purposes.

clxxi. An Act for authorising the Belfast Central Railway Company to make new Railways; for regulating their Capital; and for conferring further powers on the Company; and other purposes.

clxxii. An Act for making a Railway from the South Staffordshire Railway at Lichfield to the Birmingham and Sutton Coldfield Branch of the London and North-western Railway at Sutton Coldfield; and for other purposes.

clxxiii. An Act to authorise the construction of the Birmingham and Staffordshire Extension Tramways.

clxxiv. An Act to incorporate the Leeds Tramways Company, and to authorise the acquisition by them of Tramways in the Borough of Leeds.

clxxv. An Act for incorporating the North Wales Narrow Gauge Railways Company; and for other purposes.

clxxvi. An Act for making a Railway from Moniaive, in the county of Dumfries, to a point near to the Auldgirth Station of the Glasgow and South-western Railway; and for other purposes.

clxxvii. An Act for improving the Means of Communication between England and the Continent by way of Newhaven and Dieppe.

clxxviii. An Act for conferring further powers on the Manchester, Sheffield, and Lincolnshire Railway Company in relation to their own Undertaking and to the Undertakings of other Companies; and for amending the Acts relating to and making further provision respecting the South Yorkshire Railway and River Dun Company, the

Sheffield and Midland Railway Companies Committee, the Macclesfield, Knutsford, and Warrington Railway Company, the Macclesfield Committee, and the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company; and for other purposes.

clxxix. An Act for making a Railway from Daventry to Weedon in the county of Northampton.

clxxx. An Act to enable the Pneumatic Despatch Company (Limited) to connect their Undertaking with the Railways in the Metropolis.

clxxxi. An Act to authorise the construction of Tramways in and near Southampton; and for other purposes.

clxxxii. An Act to authorise the construction of Railways between Walsall in Staffordshire and the Midland Railway in Warwickshire, to be called "The Wolverhampton, Walsall, and Midland Junction Railway."

clxxxiii. An Act for authorising the West Lancashire Railway Company to construct additional Lines of Railway; and for conferring further Powers upon them in relation to their Undertaking; and for other purposes.

clxxxiv. An Act to extend the Cheltenham Gaslight and Coke Company's Limits of Supply; and to authorise them to make a short connecting Railway or Tramway between their Works and the Midland Railway; and to stop up Alstone Terrace Road; and for other purposes.

clxxxv. An Act to vest the Undertaking of the Limerick and Castleconnell Railway Company in the Waterford and Limerick Railway Company; and for other purposes.

P. **clxxxvi.** An Act to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the Royal Burgh of Dumbarton.

clxxxvii. An Act for making a Railway from Llandyssil, in the county of Carmarthen, to Newcastle Emlyn, in the county of Cardigan, to be called the Tivy Side Railway; and for other purposes.

clxxxviii. An Act to revive and extend the time granted to the Midland Counties and Shannon Junction Railway Company for the purchase of Lands and execution of Works.

clxxxix. An Act for amalgamating the East Barnet Gas and Water Company and the Potters Bar Gas and Coke Company (Limited) and the Barnet Consumers Gas Company (Limited); and for other purposes.

cxc. An Act to authorise the construction of the Metropolitan and South-western Junction Railway.

cxci. An Act to authorise the construction of Tramways in the Burgh of Dundee and places adjacent; and for other purposes.

cxcii. An Act for making a Railway from the South Kensington Railway Station to the Royal Albert Hall; and for other purposes.

cxciii. An Act for authorising the construction of Tramways in the Borough of Belfast, in the county of Antrim; and for other purposes.

cxciv. An Act to authorise the construction of Tramways in certain parts of the City of Aberdeen and its suburbs; and for other purposes.

cxcv. An Act for conferring further powers upon the Teign Valley Railway Company for the construction of Works, the acquisition of Lands, the raising of Moneys, and otherwise in relation to their Undertaking; and for other purposes.

cxcvi. An Act for authorising the construction of a Railway from Galway to Clifden, all in the county of Galway; and for other purposes.

cxcvii. An Act for making provision with respect to the transfer of a portion of the Undertaking of the London and Aylesbury Railway Company to the London and North-western Railway Company; and for authorising that Company to raise Moneys; and for other purposes.

cxcviii. An Act to authorise the construction of Tramways from Glasgow to Bothwell and Hamilton, with a Branch to Motherwell and Wishaw; and for other purposes.

cxcix. An Act for conferring upon the Accident Indemnity Company, Limited, further powers and privileges with respect to the Assurance of Travellers by Railway; and for other purposes.

cc. An Act for making further provision respecting the Supply of Water to the Borough of Kingston-upon-Hull; and for other purposes.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to apply to the Lands and Estate of Scallastle, in the Island of Mull and county of Argyll, the provisions of an Act of the Session of the 34th and 35th years of the reign of Her Majesty Queen Victoria, intituled "An Act to authorise the Sale of a part or parts of the "Lands and Estates of Lochbuy and Fishnish and others, "in the Island of Mull and county of Argyll, for the "purpose of paying certain Debts due by the now deceased "Donald Maclaine of Lochbuy, and by his Trust Estates, "and of satisfying certain Provisions made by him in "favour of his Children, or to charge parts of such Lands "and Estates with portions of the said Debts and Pro-"visions; and for other purposes."
2. An Act to authorise the feuing of the Lands of Kirkdales and others in the parish of Govan and county of Lanark
3. An Act to authorise the Trustees of the deceased James Russel to invest part of his Trust Estate in the purchase of Lands in Scotland.
4. An Act to authorise the Trustees of the late George Viscount Keith to entail the Trust Estate under burden of the existing Debts; and for other purposes.
5. An Act to authorise arrangements in relation to the Vicarage of Cannington in the county of Somerset, and the endowment thereof with a portion of the Impropriate Vicarial Tithes of the said parish.
6. An Act to extend the powers of Leasing and Purchase contained in the Marriage Settlement of William Amhurst Tyssen-Amhurst, Esquire, and to give other powers for the Improvement of the Settled Estates; and for other purposes.
7. An Act for enabling the Trustees of the Will of Joseph Thomas Treffry, deceased, to carry into effect certain agreements for granting leases of Newquay Harbour, and certain railways or tramroads forming part of the estates, in the county of Cornwall, devised by the said Will; and for other purposes.

PRIVATE ACT,

NOT PRINTED.

8. An Act to naturalize Edmond Richard Wallace, and to grant to and confer upon him all the Rights, Privileges, and Capacities of a natural-born Subject of Her Majesty the Queen.

TABLES

SHOWING

THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE A.—Acts of 35 & 36 Vict. (in order of Chapter) showing their effect on former Acts.

TABLE B.—Acts of former Sessions (in chronological order) Repealed and Amended by Acts of 35 & 36 Vict.

(A.)

Acts of 35 & 36 Vict. (in order of Chapter) showing their effect on former Acts.

CH.

1. CONSOLIDATED FUND (5,411,099*l.* 3*s.* 3*d.*) [U.K.]
2. POOR LAW LOANS [E.]
   Extends limits of expenditure for building schools in the Metropolis, imposed by section 16 of 14 & 15 Vict. c. 105.
   Applies section 14 of 30 & 31 Vict. c. 106. to the Metropolis.
   Explains section 5 of 32 & 33 Vict. c. 45.
3. MUTINY [U.K.]
   Applies 26 & 27 Vict. c. 57., Regimental Debts.
   „ Acts relating to Military Prisons.
4. MARINE MUTINY [U.K.]
5. BANK OF IRELAND CHARTER AMENDMENT [I.]
   Reduces the Number of Directors.
6. PUBLIC PARKS (IRELAND) ACT, 1869, AMENDMENT [I.]
   Amends 32 & 33 Vict. c. 28.
7. COUNTY BUILDINGS LOANS [E.]
   Amends 7 Geo. 4. c. 63.
   Extends time of borrowing under 7 Will. 4. & 1 Vict. c. 24., 2 & 3 Vict. c. 69., and 10 & 11 Vict. c. 28.
8. DEANS AND CANONS RESIGNATION [E.]
9. WEST INDIES (INCUMBERED ESTATES) [C.]
   Continues appointment and jurisdiction of Commissioners under 17 & 18 Vict. c. 117. as amended by 21 & 22 Vict. c. 96.
10. MARRIAGES (SOCIETY OF FRIENDS) [E. & I.]
    Amends 23 & 24 Vict. c. 18., Quakers Marriages.
    Extends 6 & 7 Will. 4. c. 85., Marriages (England).
    „ 7 & 8 Vict. c. 81., Marriages (Ireland).
11. CONSOLIDATED FUND (6,000,000*l.*) [U.K.]
12. SUPERANNUATION [U.K.]
    Amends 4 & 5 Will. 4. c. 24., by extending section 20 to the Colonies.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

Ch.

13. Irish Church Act (1869) Amendment [I.]
Amends 32 & 33 Vict. c. 42. (as to vacancy in office of Commissioner).

14. Alteration of Boundaries of Dioceses [E.]

15. Parks Regulation [E. & S.]
Applies the Summary Jurisdiction Acts.

16. Cattle Disease (Ireland) Acts Amendment [I.]
Amends 29 & 30 Vict. c. 4. as amended by 33 & 34 Vict. c. 36.

17. Loan Societies (Ireland) Act, 1843, Amendment [I.]
Amends 6 & 7 Vict. c. 91., Charitable Loan Societies (Ireland).

18. Board of Trade Inquiries [U.K.]
Removes doubts under 34 & 35 Vict. c. 113., Metropolis Water, &c.

19. Kidnapping [C.]
Act to take effect in the Australasian Colonies, but not to affect powers vested in Supreme Courts of New South Wales and Tasmania under 9 Geo. 4. c. 83.

20. Customs and Inland Revenue [U.K.]
Customs Duties on Tea continued.
Extends 16 & 17 Vict. c. 107. s. 44. (Customs) to articles of Foreign Manufacture purporting to be manufactured in the United Kingdom.
Exempts husbandry carts and horses used on Sunday, &c. from Duty under 32 & 33 Vict. c. 14. (Excise).
Amends 33 & 34 Vict. c. 97. (Stamps) as to Navy Bills.
Applies provisions of existing Acts relating to Income Tax.
Removes doubts as to interpretation of "Horse-dealer" in 32 & 33 Vict. c. 14.

21. Reformatory and Industrial Schools [E.]
Extends power of Prison authority under section 28 of 29 & 30 Vict. c. 117. (Reformatory Schools), and under section 12 of 29 & 30 Vict. c. 118. (Industrial Schools).
Applies and amends section 27 of 33 & 34 Vict. c. 75. (Elementary Education) as to Industrial Schools.

22. Party Processions (Ireland) [I.]
Repeals 13 & 14 Vict. c. 2.

23. Isle of Man Harbours [E.]
Incorporates in part 10 & 11 Vict. c. 27., Harbours, &c. Clauses.
Powers of borrowing under 29 & 30 Vict. c. 23., Isle of Man Customs, &c.
Repeals 11 Geo. 3. c. 52.,
„ 54 Geo. 3. c. 143.,
„ 3 & 4 Vict. c. 63.,
„ 23 & 24 Vict. c. 56.,
„ sections 8 and 9 of 26 & 27 Vict. c. 86.,
„ part of section 10 of 29 & 30 Vict. c. 23.,
} Isle of Man Harbours.

24. Charitable Trustees Incorporation [E.]
Saves 9 Geo. 2. c. 36., Mortmain.
Amends 29 & 30 Vict. c. 57., Charitable Trusts.

25. Juries (Ireland) Act, 1871, Amendment [I.]
Amends and repeals in part 34 & 35 Vict. c. 65

26. Review of Justices Decisions [E.]

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

Ch.

27. Elementary Education Act (1870) Amendment [E.]
Amends and extends 33 & 34 Vict. c. 75., as to borrowing of money and purchase of lands for offices, &c.

28. Queen's Bench (Ireland) Procedure [I.]

29. Colonial Governors Pensions [C.]
Amends 28 & 29 Vict. c. 113., as to rates of pension.

30. Chain Cables and Anchors Act (1871) Suspension [U.K.]
Suspends operation of 34 & 35 Vict. c. 101. until 1st Jan. 1873, and continues in force 27 & 28 Vict. c. 27. until that date.

31. Drainage and Improvement of Lands (Ireland) Acts Amendment [I.]
Amends 5 & 6 Vict. c. 89.
„ 16 & 17 Vict. c. 130.
„ 10 & 11 Vict. c. 32.
„ 26 & 27 Vict. c. 88.

32. Landlord and Tenant (Ireland) Act, 1870, Amendment [I.]
Explains and amends 33 & 34 Vict. c. 46. as to purchase by Tenants of their holdings.

33. Ballot (Parliamentary and Municipal Elections) [U.K.]
Applies and amends Acts relating to the Representation of the People, to the Registration of Voters, to Municipal Corporations and Elections, and to the Police, Improvement, and Local Government of Towns, in England, Scotland, and Ireland.
Repeals Acts (wholly or in part) relating to the above matters, as set forth in the Fourth, Fifth, and Sixth Schedules. [*These Acts will be found in their Chronological Order in Table B.—See page* xlii *et seq.*]

34. Bank of England (Election of Directors) [E.]
Amends section 52 of 8 & 9 Will. 3. c. 20.

35. Act of Uniformity Amendment [E.]
Amends 14 Chas. 2. c. 4.

36. Baptismal Fees [E.]

37. Consolidated Fund (8,000,000*l.*) [U.K.]

38. Infant Life Protection [U.K.]
Applies the Summary Jurisdiction Acts.

39. Naturalization [U.K.]
Amends 33 & 34 Vict. c. 14.

40. Bishops Resignation Act (1869) Continuance [E.]
Continues (for three years) 32 & 33 Vict. c. 111.

41. Life Assurance Companies Acts Amendment [U.K.]
Amends 33 & 34 Vict. c. 61., } Life Assurance Companies.
„ 34 & 35 Vict. c. 58., }
Applies in part 25 & 26 Vict. c. 89., Companies Act, 1862.

42. Grand Juries (Ireland) [I.]
Amends 16 & 17 Vict. c. 136., Grand Juries (Ireland).

43. Metropolitan Tramways Provisional Orders Suspension [E.]
Dispenses with certain provisions of the Tramway Act, 1870 (33 & 34 Vict. c. 78.), as to certain Tramways.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

Ch.

44. Court of Chancery (Funds) [E.]
Applies 16 & 17 Vict. c. 59., Stamp Duties.
„ section 33 of 24 & 25 Vict. c. 98., Forgery.
„ 15 & 16 Vict. c. 28., Public Works and Buildings.
„ section 23 of 28 & 29 Vict. c. 48., Courts of Justice Building Act, 1865.
Repeals (with Savings) the following Enactments relating to the Court of Chancery:—
12 Geo. 1. c. 32., 33., 32 Geo. 3. c. 42., } Suitors Money, &c.
36 Geo. 3. c. 52. in part, 37 Geo. 3. c. 135., } Legacy Duties, &c.
52 Geo. 3. c. liv., 54 Geo. 3. c. 14., 55 Geo. 3. c. lxiv., 58 Geo. 3. c. lxxx., 59 Geo. 3. c. xxvii., 3 Geo. 4. c. 69. in part, } Officers, &c. in Chancery.
3 & 4 Will. 4. c. 73. in part, 5 & 6 Will. 4. c. 45., 6 & 7 Will. 4. c. 5., 82., 4 & 5 Vict. c. 18., } Slave Compensation.
5 Vict. c. 5. in part, Administration of Justice.
9 & 10 Vict. c. 81., Income Tax (Offices).
10 & 11 Vict., c. 96. s. 3., Trust Funds, &c.
15 & 16 Vict. c. 80. s. 59., Court of Chancery.
15 & 16 Vict. c. 87. in part, 16 & 17 Vict. c. 98. (except s. 11.), } Suitors in Chancery.
30 & 31 Vict. c. 87. ss. 11, 12., Chancery Officers.
32 & 33 Vict. c. 91. ss. 4.–7., Courts of Justice (Salaries and Funds).

45. Treaty of Washington [U.K.]
Suspends Acts and Laws at variance with Articles of the Treaty.

46. Arbitration (Masters and Workmen) [U.K.]
Amends 5 Geo. 4. c. 96., Masters and Workmen.
Applies 30 & 31 Vict. c. 141., Masters and Servants.

47. Galashiels Jurisdiction Act Amendment [S.]
Amends (and repeals, so far as inconsistent) 30 & 31 Vict. c. 85.
Applies 23 & 24 Vict. c. 105., Prisons (Scotland) Administration.

48. County Boundaries (Ireland) [I.]
Amends 17 & 18 Vict. c. 17., „ 20 & 21 Vict. c. 45., „ 22 & 23 Vict. c. 8., „ 34 & 35 Vict. c. 106., } Boundaries (Ireland).

49. Church Seats [E.]

50. Railway Rolling Stock Protection [U.K.]

51. Judges Salaries [U.K.]
Amends Law relating to Judges Salaries.

52 Grand Juries, Middlesex [E.]

53. Victoria Park [E.]

54. Public Schools Act (1868) Amendment [E.]
Amends 31 & 32 Vict. c. 118.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

CH.

55. BASSES LIGHTS (CEYLON) [C.]
Applies 17 & 18 Vict. c. 104., 18 & 19 Vict. c. 91., } Merchant Shipping.
Amends and repeals in part 32 & 33 Vict. c. 77., Basses Lights.

56. COUNTESS OF MAYO'S ANNUITY [U.K.]

57. DEBTORS (IRELAND) [I.]
Applies 20 & 21 Vict. c. 60., 35 & 36 Vict. c. 58., } Bankruptcy (Ireland).
„ 16 & 17 Vict. c. 113., Common Law Procedure (Ireland).
„ 14 & 15 Vict. c. 57., 27 & 28 Vict. c. 99., } Civil Bill Courts (Ireland).
„ 30 & 31 Vict. c. 44., Court of Chancery (Ireland).
„ 22 & 23 Vict. c. 17., Vexatious Indictments.
„ sections 88, 89, of 3 & 4 Vict. c. 108., Municipal Corporations (Ireland).
Repeals section 1 of 11 & 12 Vict. c. 28., Imprisonment for Debt (Ireland).

58. BANKRUPTCY, IRELAND [I.]
Amends and in part repeals 20 & 21 Vict. c. 60., Irish Bankruptcy and Insolvency Act, 1857.
Amends section 60 of 30 & 31 Vict. c. 129., Chancery and Common Law Officers (Ireland) Act, 1867.
Applies 22 Vict. c. 26., Superannuation Act, 1859.
Saving for partnerships, &c. registered under Companies Act, 1862.
Applies certain provisions of 4 & 5 Will. 4. c. 92., Abolition of Fines and Recoveries (Ireland).
Applies 34 & 35 Vict. c. 65., Juries (Ireland).
Abolishes Jurisdiction of Quarter Sessions in matters of Insolvency.
Extends provisions of 24 Geo. 3. sess. 2. c. 26., House of Commons (Elections), to Cases of Bankruptcy.

59. ELEMENTARY EDUCATION (ELECTIONS) [E.]
Amends 33 & 34 Vict. c. 75.

60. CORRUPT PRACTICES AT MUNICIPAL ELECTIONS [E. & I.]
Applies section 7 of 26 & 27 Vict. c. 29., Corrupt Practices.
„ 31 & 32 Vict. c. 125., Parliamentary Elections Act, 1868.
Repeals sections 54 to 56 of 5 & 6 Will. 4. c. 76., Municipal Corporations.
„ sections 9 to 14 of 22 Vict. c. 35., Municipal Elections.
„ sections 90, 91, of 3 & 4 Vict. c. 108., Municipal Corporations (Ireland).

61. FACTORIES (STEAM WHISTLES) [E. & I.]
Applies Sanitary Act, 1866.
„ Summary Jurisdiction Act, 1848.
„ Petty Sessions (Ireland) Act, 1851.

62. EDUCATION (SCOTLAND) [S.]
Repeals Act of 1696, 43 Geo. 3. c. 54., 24 & 25 Vict. c. 107., } Schools and Schoolmasters (Scotland), so far as inconsistent with provisions of Act.
Amends 1 & 2 Vict. c. 87., Schools, &c.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

Ch.

Applies Industrial Schools Act, 1866.
„ Lands Clauses (Scotland) Act, 1845.
„ Commissioners Clauses Act, 1847.
„ Summary Proceedings (Scotland) Act, 1854.

63. Statute Law Revision [U.K.]
Repeals (with Savings) the Enactments described in the Schedule.
[*These Acts will be found in their Chronological Order in Table B.—See page* lxviii *et seq.*]

64. Military Manœuvres [E.]
Applies Mutiny Act and Articles of War.
„ Summary Jurisdiction Act, 1848.

65. Bastardy Laws Amendment [E.]
Amends and in part repeals 7 & 8 Vict. c. 101., } Poor Law Amend-
„ „ 31 & 32 Vict. c. 122., } ment Acts.

66. Royal Military Canal [E.]
Amends 30 & 31 Vict. c. 140.

67. Greenwich Hospital [U.K.]
Extends section 20 of 28 & 29 Vict. c. 89.

68. Military Forces Localization (Expenses) [U.K.]
Applies Lands Clauses Acts, 1845, 1860, and 1869.
„ Lands Clauses (Scotland) Act, 1845.
„ Railways (Ireland) Acts, 1851, 1860, and 1864.

69. Local Government Board (Ireland) [I.]
Vests in the Board constituted under this Act the powers, &c. of the Poor Law Commissioners, and those vested in the Lord Lieutenant or the Privy Council by the following enactments; viz.,
17 & 18 Vict. c. 103., Towns Improvement.
29 & 30 Vict. c. 90., Sanitary Act, 1866.
28 & 29 Vict. c. 75., Sewage Utilization Act, 1865 (as applied to Ireland).
18 & 19 Vict. c. 121., Nuisances Removal Act, 1855 (as applied to Ireland).
18 & 19 Vict. c. 116., Diseases Prevention Act, 1855 (as applied to Ireland).
23 & 24 Vict. c. 77., Nuisances Removal and Diseases Prevention Amendment, 1860 (as applied to Ireland).
34 & 35 Vict. c. 109., Local Government (Ireland).
31 & 32 Vict. c. 115., Sanitary Act Amendment, 1868 (as applied to Ireland).
32 & 33 Vict. c. 115., Sanitary Loans Act, 1869 (as applied to Ireland).
23 Vict. c. 26., Common Lodging House Act, 1860.
19 & 20 Vict. c. 98., Burial Grounds.
23 & 24 Vict. c. 76., Burial Grounds Amendment Act.

70. Law Officers Fees. [E.]

71. Public Works Loan Commissioners (School Board Loans) [E.]
Recites section 57 of 33 & 34 Vict. c. 75., Elementary Education Act, 1870.

72. Turnpike Trusts Arrangements [E.]
Confirms Provisional Order made under 14 & 15 Vict. c. 38.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

CH.

73. MERCHANT SHIPPING [U.K.]
Amends 17 & 18 Vict. c. 104., } Merchant Shipping.
„ 18 & 19 Vict. c. 91., }
„ 34 & 35 Vict. c. 110., }
„ 18 & 19 Vict. c. 119., } Passengers.
„ 26 & 27 Vict. c. 51., }
„ 34 & 35 Vict. c. 101., Chain Cables and Anchors.
Applies 26 & 27 Vict. c. 69., Officers of Royal Naval Reserve.

74. ADULTERATION OF FOOD, &c. [U.K.]
Applies 31 & 32 Vict. c. 121., Pharmacy Act, 1868.
„ 33 & 34 Vict. c. 26., Sale of Poisons (Ireland).
„ 23 & 24 Vict. c. 84., Adulteration of Food, &c.

75. APPOINTMENT OF COMMISSIONERS FOR TAKING AFFIDAVITS. [I.]

76. COAL MINES REGULATION [U.K.]
Repeals in part 5 & 6 Vict. c. 99., Employment of Women, &c. in Mines.
„ „ 23 & 24 Vict. c. 151., Mines Inspection, &c.
„ 25 & 26 Vict. c. 79., Coal Mines.
Applies 5 & 6 Will. 4. c. 63., Weights and Measures.
„ 25 & 26 Vict. c. 76., Weights and Measures (Ireland), as amended by 30 & 31 Vict. c. 94.
„ Summary Jurisdiction and Procedure, and Petty Sessions (Ireland) Acts.

77. METALLIFEROUS MINES REGULATION [U.K.]
Repeals 5 & 6 Vict. c. 99., Employment of Women, &c. in Mines.
„ 23 & 24 Vict. c. 151., Mines Inspection, &c.
Applies Summary Jurisdiction and Procedure and Petty Sessions (Ireland) Acts.

78. WILD BIRDS PROTECTION. [U.K.]

79. PUBLIC HEALTH [E.]
Repeals section 4 of 31 & 32 Vict. c. 130., Artizans and Labourers Dwellings.
Repeals section 4 of 29 & 30 Vict. c. 90., Sanitary Act, 1866.
„ section 151 of 11 & 12 Vict. c. 63., Public Health.
Transfers powers, &c. of Board of Trade under 26 & 27 Vict. c. 124. (Alkali Act, 1863), and under 15 & 16 Vict. c. 84. and 34 & 35 Vict. c. 113. (Metropolis Water), to Local Government Board.
Transfers powers, &c. of Secretary of State under Highways and Turnpike Road Acts to Local Government Board.

80. KENSINGTON STATION AND NORTH AND SOUTH LONDON JUNCTION RAILWAY (REPAYMENT OF MONEYS). [E.]

81. ATTORNEYS AND SOLICITORS ACT (1860) AMENDMENT [E. & S.]
Amends 23 & 24 Vict. c. 127.

82. INCOME TAX COLLECTION (PUBLIC OFFICES) [U.K.]
Repeals in part 5 & 6 Vict. c. 35.

83. PENSIONS COMMUTATION ACT (1871) EXTENSION [U.K.]
Extends provisions of 34 & 35 Vict. c. 36. to Telegraph Offices, &c.

84. REVISING BARRISTERS [E.]
Repeals part of section 29 of 6 & 7 Vict. c. 18., Registration of Voters.
„ „ section 4 of 26 & 27 Vict. c. 122., Circuits of Judges.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

CH.

85. ANNUAL TURNPIKE ACTS CONTINUANCE [E. & S.]
Repeals and continues Acts as in Schedule.
Applies Railways Clauses Act, 1845.
„ Highways Act, 1864.

86. BOROUGH AND LOCAL COURTS OF RECORD [E.]
Applies 1 & 2 Will. 4. c. 58., Adverse Claims.

87. CONSOLIDATED FUND (APPROPRIATION) [U.K.]
Amends section 7 of 33 & 34 Vict. c. 96., Appropriation Act, 1870.

88. EXPIRING LAWS CONTINUANCE [U.K.]
Continues the following Acts (and Acts amending the same), as in Schedule :—
5 & 6 Will. 4. c. 27., Linen, &c. Manufactures (Ireland).
3 & 4 Vict. c. 89., Poor Rates (Stock in Trade).
4 & 5 Vict. c. 30., Survey of Great Britain.
4 & 5 Vict. c. 35., Copyhold, &c. Commissions.
4 & 5 Vict. c. 59., Application of Highway Rates.
5 & 6 Vict. c. 123., Lunatic Asylums (Ireland).
10 & 11 Vict. c. 32., Landed Property Improvement (Ireland).
10 & 11 Vict. c. 98., Ecclesiastical Jurisdiction.
11 & 12 Vict. c. 32., County Cess (Ireland).
11 & 12 Vict. c. 107., Sheep and Cattle Diseases.
14 & 15 Vict. c. 104., Episcopal, &c. Estates.
17 & 18 Vict. c. 102., Corrupt Practices Prevention.
19 & 20 Vict. c. 36., Preservation of the Peace (Ireland).
23 & 24 Vict. c. 19., Dwellings for Labouring Classes (Ireland).
24 & 25 Vict. c. 109., Salmon Fishery (England).
25 & 26 Vict. c. 97., Salmon Fisheries (Scotland).
26 & 27 Vict. c. 105., Promissory Notes.
27 & 28 Vict. c. 9., Malt for Animals.
27 & 28 Vict. c. 20., Promissory Notes, &c. (Ireland).
27 & 28 Vict. c. 92., Public Schools.
28 & 29 Vict. c. 46., Militia Ballots Suspension.
28 & 29 Vict. c. 66., Malt Duty.
28 & 29 Vict. c. 83., Locomotives on Roads.
28 & 29 Vict. c. 121., Salmon Fishery (England).
29 & 30 Vict. c. 52., Prosecution Expenses.
30 & 31 Vict. c. 36., Chester Courts.
30 & 31 Vict. c. 126., Railway Companies (Scotland).
30 & 31 Vict. c. 127., Railway Companies.
30 & 31 Vict. c. 141., Master and Servant.
31 & 32 Vict. c. 32., Endowed Schools.
31 & 32 Vict. c. 76., Militia Pay.
31 & 32 Vict. c. 125., Election Petitions, &c.
32 & 33 Vict. c. 21., Election Commissioners Expenses.
34 & 35 Vict. c. 87., Sunday Observance Prosecutions.
34 & 35 Vict. c. 105., Petroleum.

89. UNION OFFICERS (IRELAND) SUPERANNUATION [I.]
Amends 28 & 29 Vict. c. 26.

90. IRISH CHURCH ACT (1869) AMENDMENT [I.]
Amends 32 & 33 Vict. c. 42.

91. MUNICIPAL CORPORATIONS (BOROUGH FUNDS) [E.]
Recites 5 & 6 Will. 4. c. 76. and 20 & 21 Vict. c. 50.

92. PARISH CONSTABLES [E.]
Repeals sections 12 and 13 of 5 & 6 Vict. c. 109.
„ sections 15 to 18 of 13 & 14 Ch. 2. c. 12.
„ section 4 of 18 Geo. 3. c. 19.
„ in part 2 Will. & Mary, c. 5.
Applies Summary Jurisdiction Act, 1848.

Table A.—Acts of 35 & 36 Vict. (in order of Chapter), &c.—*continued.*

CH.

93. PAWNBROKERS [E. & S.]
Repeals the following Enactments relating to Pawnbrokers in Great Britain; viz.,
1 Jac. 1. c. 21.
39 & 40 Geo. 3. c. 99.
25 Geo. 3. c. 48., 55 Geo. 3. c. 184. in part, 9 Geo. 4. c. 49. in part, and 27 & 28 Vict. c. 56. in part, so far as relates to Pawnbrokers Licenses.
9 & 10 Vict. c. 98.
17 & 18 Vict. c. 90. s. 4. in part.
19 & 20 Vict. c. 27.
22 & 23 Vict. c. 14.
23 & 24 Vict. c. 21.
Applies 11 & 12 Vict. c. 43., Summary Jurisdiction Act, 1848.
„ 7 & 8 Geo. 4. c. 64., Criminal Justice.

94. LICENSING [E. & I.]
Repeals the following Enactments relating to the sale, and licenses for the sale, of Intoxicating Liquors; viz.,
21 James 1. c. 7. (so much as unrepealed).
9 Geo. 4. c. 61., in part.
11 Geo. 4. & 1 Will. 4. c. 64., in part.
4 & 5 Will. 4. c. 85., in part.
2 & 3 Vict. c. 47., in part.
3 & 4 Vict. c. 61., in part.
11 & 12 Vict. c. 49., as far as it relates to England.
18 & 19 Vict. c. 118., wholly.
23 & 24 Vict. c. 27., in part.
23 & 24 Vict. c. 113. s. 41.
27 & 28 Vict. c. 64., 28 & 29 Vict. c. 77., wholly (with an exception as to certain refreshment houses).
32 & 33 Vict. c. 27., in part.
33 & 34 Vict. c. 29., in part.
34 & 35 Vict. c. 88., wholly.
Amends 5 & 6 Vict. c. 44.
Applies and makes perpetual Wine and Beerhouse Acts, 1869 and 1870.
„ Beerhouses (Ireland) Act, 1864.
„ Summary Jurisdiction Act, 1848.
„ Intoxicating Liquors Licensing Act, 1828, 9 Geo. 4. c. 61.

95. EPPING FOREST [E.]
Amends 34 & 35 Vict. c. 93.

96. ECCLESIASTICAL DILAPIDATIONS ACT (1871) AMENDMENT [E.]
Amends 34 & 35 Vict. c. 43.

97. STATUTE LAW REVISION (No. 2.) [U.K.]
Repeals (with Savings) the Enactments described in the Schedule.
[*These Acts will be found in their Chronological Order in Table B.* —*See page* lxxvii *et seq.*]

98. STATUTE LAW REVISION (IRELAND) [I.]
Repeals (with Savings) the Enactments described in the Schedule.
[*These Acts will be found in their Chronological Order in Table B.* —*See page* xlviii *et seq.*]

(B.)

Acts of former Sessions (in Chronological Order) Repealed and Amended by Acts of 35 & 36 Vict.

NOTE.—The Acts in the first portion of this Table prior to the tenth year of the reign of George the Third, refer to the edition prepared under the direction of the Lord Chancellor, intituled "The Statutes, Revised Edition."

The Repeals effected by the "STATUTE LAW REVISION ACTS" (Chapters 63., 97., and 98.), are made the Subject of separate Chronological Arrangements, which will be found commencing at page xlviii. The Acts so repealed prior to the reign of George the First, refer to the edition prepared under the direction of the Record Commission, intituled "The Statutes of the Realm."

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 35 & 36 Vict.
7 Hen. 4. c. 15. 8 Hen. 6. c. 7. in part 23 Hen. 6. c. 14.	Elections of Members of Parliament		
10 Hen. 7. c. 22. (Irish Parl.) in part.	Confirming all the statutes made in England. (Parliamentary Elections, Ireland)	Repealed	33
1 James 1. c. 21.	An Acte againste Brokers [Pawnbrokers].	Repealed	93
21 James 1. c. 7. (so much as is unrepealed).	Better repressing of Drunkenness, &c.	Repealed	94
14 Chas. 2. c. 4.	Act of Uniformity	Amended	35
„ c. 12. s. 15–18.	Parish Constables	Repealed	92
Will. 3., Parl. Scotland, 1696	Schools (Scotland)	Repealed	62
2 Will. & Mar. c. 5. in part	Parish Constables	Repealed	92
7 & 8 Will. 3. c. 25. in part	Elections of Members of Parliament.	Repealed	33
8 & 9 Will. 3. c. 20. s. 52.	Bank of England Directors	Amended	34
10 Will. 3. c. 7. (so much as is unrepealed).	Elections of Members of Parliament.	Repealed	33
12 Geo. 1. c. 32. „ c. 33.	Suitors of Court of Chancery.	Repealed	44
2 Geo. 2. c. 24. ss. 3, 9.	Bribery, &c., at Elections of Members of Parliament	Repealed	33
18 Geo. 2. c. 18. in part 19 Geo. 2. c. 28. in part 3 Geo. 3. c. 15. s. 7.	Elections of Members of Parliament of England		
11 Geo. 3. c. 52.	Isle of Man Harbours	Repealed	23
„ c. 55.	Elections of Members of Parliament (New Shoreham).	Repealed	33
18 Geo. 3. c. 19. s. 4.	Parish Constables	Repealed	92
21 Geo. 3. c. 54. in part	Elections of Members of Parliament (Coventry).	Repealed	33
22 Geo. 3. c. 31.	Elections of Members of Parliament (Cricklade).	Repealed	33
25 Geo. 3. c. 48.	Stamp Duties (Pawnbrokers Licences).	Repealed	93
„ c. 84. in part	Elections of Members of Parliament.	Repealed	33

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 35 & 36 Vict.
32 Geo. 3. c. 42. - -	Suitors, &c., Court of Chancery.	Repealed	44
33 Geo. 3. c. 64. (with an exception).	Elections of Members of Parliament - -	Repealed	33
34 Geo. 3. c. 73. - -	Oaths, &c., at Parliamentary Elections - -		
35 Geo. 3. c. 29 (Irish Parl.) in part.	Election of Members of Parliament (Ireland) -		
36 Geo. 3. c. 52. s. 32. in part	Duties on Legacies and Personal Estate.	Repealed	44
37 Geo. 3. c. 135. - -			
39 & 40 Geo. 3. c. 99. - -	Pawnbrokers - -	Repealed	93
42 Geo. 3. c. 62. - -	Oaths, &c. at Parliamentary Elections.	Repealed	33
43 Geo. 3. c. 54. - -	Schools, &c. (Scotland) -	Repealed	62
„ c. 74. - -	Oaths, &c. at Parliamentary Elections - -	Repealed	33
44 Geo. 3. c. 60. - -	Election of Members of Parliament (Aylesbury)		
52 Geo. 3. c. liv. - -	Office of Accountant General in Chancery -	Repealed	44
54 Geo. 3. c. 14. - -	Accountant General, Chancery - -		
„ c. 143. - -	Isle of Man Harbours -	Repealed	23
55 Geo. 3. c. 184. in part -	Stamp Duties (Pawnbrokers Licenses).	Repealed	93
„ c. lxiv. (Local) -	Office of Accountant General in Chancery, &c.	Repealed	44
„ c. lxxx. (Local) -	Report Office of the Court of Chancery, &c. -		
„ c. xxvii. (Local) -	Officers of the Court of Chancery - -		
1 Geo. 4. c. 11. in part -	Election of Members of Parliament (Ireland).	Repealed	35
3 Geo. 4. c. 69. in part -	Chancery Officers -	Repealed	44
4 Geo. 4. c. 55. in part -	Election of Members of Parliament (Ireland).	Repealed	33
5 Geo. 4. c. 96. - -	Masters and Workmen -	Amended	46
7 Geo. 4. c. 63. - -	Loans for County Buildings	Amended	7
9 Geo. 4. c. 49. s. 12. in part -	Stamp Duties (Pawnbrokers Licenses).	Repealed	93
„ c. 61. in part -	Public House Licensing, &c.	Repealed	94
„ c. 82. ss. 12, 16. in part.	Lighting, &c. of cities, towns, &c. in Ireland.	Repealed	33
11 Geo. 4. & 1 Will. 4. c. 64. in part.	Sale of Beer, &c. by retail -	Repealed	94
„ „ c. 74.	Election of Members of Parliament (East Retford)	Repealed	33
2 & 3 Will. 4. c. 45. in part -	Representation of the People in England and Wales - - -		
„ „ c. 64. in part -	Boundaries of Counties (Election of Members of Parliament) - -		
„ „ c. 65. in part -	Representation of the People in Scotland -		
„ „ c. 88. in part -	Representation of the People of Ireland -		

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 35 & 36 Vict.
3 & 4 Will. 4. c. 73. in part -	Slave Compensation -	Repealed	44
„ „ c. 76. in part -	Municipal Elections (Scotland).	Repealed	33
„ „ c. 77. in part -			
4 & 5 Will. 4. c. 24. - -	Superannuations - -	Amended	12
„ „ c. 85. in part -	Sale of Beer by retail, &c. -	Repealed	94
„ „ c. 86. - -	Burghs (Scotland) -	Repealed	33
„ „ c. 87. - -	Royal Burghs (Scotland)		
„ „ c. 88. - -	Registration of Voters (Scotland) - -		
5 & 6 Will. 4. c. 36. in part -	Polling at Borough Elections - - -		
„ „ c. 45. - -	Slave Compensation -	Repealed	44
„ „ c. 76. in part -	Municipal Corporations (England and Wales).	Repealed	33 and 60
„ „ c. 78. in part -	Representation of the People (Scotland).	Repealed	33
6 & 7 Will 4. c. 5. - -	Slave Compensation -	Repealed	44
„ „ c. 82. - -			
„ „ c. 102. - -	Polling at County Elections	Repealed	33
1 & 2 Vict. c. 87. - -	Schools, &c. (Scotland) -	Repealed	62
2 & 3 Vict. c. 47. in part -	Metropolitan Police -	Repealed	94
3 & 4 Vict. c. 61. in part -	Sale of Beer by retail, &c.		
„ c. 63. - -	Isle of Man Harbours -	Repealed	23
„ c. 108. in part -	Municipal Corporations (Ireland).	Repealed	33 and 60
„ c. 108. - -	Municipal Corporations (Ireland).	Amended	69
4 & 5 Vict. c. 18. - -	Slave Compensation -	Repealed	44
5 Vict. c. 5. in part. - -	Administration of Justice		
5 & 6 Vict. c. 35. in part -	Income Tax Collection -	Repealed	82
„ c. 44. - -	Public Houses - -	Amended	94
„ c. 89. - -	Drainage, &c. (Ireland) -	Amended	31
„ c. 99. - -	Coal and other Mines -	Repealed	76 and 77
„ c. 109. ss. 12, 13. -	Parish Constables - -	Repealed	92
6 & 7 Vict. c. 18. in part -	Registration of Voters, &c.	Repealed	33 and 84
„ c. 91. - -	Charitable Loan Societies (Ireland).	Amended	17
„ c. 93. s. 23. -	Municipal Corporations (Ireland).	Repealed	33
7 & 8 Vict. c. 101. - -	Poor Law (Bastardy) -	Amended & repealed in part.	65
9 & 10 Vict. c. 19. - -	Polling Places at Elections in Ireland.	Repealed	33
„ c. 81. - -	Deduction of Income Tax in respect of certain Offices.	Repealed	44
„ c. 98. - -	Pawnbrokers - -	Repealed	93
10 & 11 Vict. c. 32. - -	Drainage, &c. (Ireland) -	Amended	31
„ c. 96. s. 3. -	Trust Funds, &c. - -	Repealed	44
11 & 12 Vict. c. 28. s. 1. -	Imprisonment for Debt (Ireland).	Repealed	57
„ c. 49. (so far as it relates to England).	Sale of Beer and other Liquors on Sunday.	Repealed	94
„ c. 63. s. 151. -	Public Health - -	Repealed	79
& 14 Vict. c. 2. - -	Party Processions (Ireland)	Repealed	22

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 35 & 36 Vict.
13 & 14 Vict. c. 33. in part -	Police of Towns (Scotland) - - -		
„ c. 68. in part -	Parliamentary Elections (Ireland) - -	Repealed	33
„ c. 69. in part -	Registration of Parliamentary Voters in Ireland -		
15 & 16 Vict. c. 80. s. 59. -	Court of Chancery -	Repealed	44
„ c. 84. - -	Metropolis Water -	Amended	79
„ c. 87. in part -	Suitors of the Court of Chancery.	Repealed	44
16 & 17 Vict. c. 15. in part -	Polling at County Elections - - -		
„ c. 28. ss. 1, 10. -	Polling at Elections (Scotland) - - -	Repealed	33
„ c. 68. ss. 2, 3, 7, 8.	Polling at Elections -		
„ c. 98. (except s. 11).	Suitors of the Court of Chancery.	Repealed	44
„ c. 130. - -	Drainage, &c. (Ireland) -	Amended	31
„ c. 136. - -	Grand Juries (Ireland) -	Amended	42
17 & 18 Vict. c. 17. - -	Boundary Survey (Ireland)	Amended	48
„ c. 90. s. 4. in part	Usury Laws (Pawnbrokers)	Repealed	93
„ c. 102. in part -	Corrupt Practices Prevention Act, 1854 - -		
„ c. 103. in part -	Towns Improvement (Ireland) Act, 1854 -	Repealed	33
„ c. 104. - -	Merchant Shipping -	Amended	73
18 & 19 Vict. c. 24. - -	Parliamentary Representation (Scotland).	Repealed	33
„ c. 91. - -	Merchant Shipping -	Amended	73
„ c. 118. - -	Sale of Beer and other Liquors on Sundays.	Repealed	94
„ c. 119. - -	Passengers, - -	Amended	73
19 & 20 Vict. c. 27. - -	Pawnbrokers - -	Repealed	93
20 & 21 Vict. c. 45. - -	Boundaries (Ireland) -	Amended	48
„ c. 60. - -	Bankruptcy (Ireland) -	Amended & repealed in part.	58
22 Vict. c. 35. in part - -	Municipal Corporation Act, 1859.	Repealed	33 and 60
22 & 23 Vict. c. 8. - -	Boundaries (Ireland) -	Amended	48
„ c. 14. - -	Pawnbrokers - - -	Repealed	93
23 & 24 Vict. c. 18. - -	Quakers Marriages -	Amended	10
„ c. 21. - -	Pawnbrokers - -	Repealed	93
„ c. 27. in part -	Wine Licenses and Refreshment Houses, &c.	Repealed	94
„ c. 56. - -	Isle of Man Harbours -	Repealed	23
„ c. 113. s. 41. -	Excise Duties on Spirits, &c.	Repealed	94
„ c. 127. - -	Attorneys and Solicitors -	Amended	81
„ c. 151. - -	Coal and other Mines -	Repealed	76 and 77
24 & 25 Vict. c. 83. sch. D. in part.	Registration of County Voters (Scotland).	Repealed	33
„ c. 107. - -	Schools, &c. (Scotland) -	Repealed	62
25 & 26 Vict. c. 62. in part -	Parliamentary Elections (Ireland).	Repealed	33
„ c. 79. - -	Coal Mines - -	Repealed	76

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 35 & 36 Vict.
25 & 26 Vict. c. 92. s. 1. and part of s. 2.	Parliamentary Elections (Ireland)	Repealed	33
,, c. 95.	Polling Places (New Shoreham, Cricklade, &c.)		
,, c. 101. in part	Police of Towns, &c. (Scotland)		
26 & 27 Vict. c. 51.	Passengers	Amended	73
,, c. 86. s. 8, 9.	Isle of Man Harbours	Repealed	23
,, c. 88.	Drainage, &c. (Ireland)	Amended	31
,, c. 122. s. 4. in part.	Circuits of Judges	Repealed	84
,, c. 124.	Alkali Act, 1863	Amended	79
27 & 28 Vict. c. 56. s. 6. in part	Stamp Duties (Pawnbrokers Licenses).	Repealed	93
,, c. 64. (with an exception).	Closing of Public Houses, &c.	Repealed	94
28 & 29 Vict. c. 26.	Union Officers (Ireland)	Amended	89
,, c. 77. (with an exception).	Closing of Public Houses, &c.	Repealed	94
,, c. 89.	Greenwich Hospital	Amended	67
,, c. 92.	Election of Members (Ayr District).	Repealed	33
,, c. 113.	Colonial Governors Pensions.	Amended	29
29 & 30 Vict. c. 4.	Cattle Disease (Ireland)	Amended	16
,, c. 23. s. 10. in part.	Isle of Man Harbours	Repealed	23
,, c. 57.	Charitable Trusts	Amended	24
,, c. 90.	Sanitary Act, 1866	Amended	69 and 79
30 & 31 Vict. c. 85.	Galashiels Jurisdiction	Amended & repealed in part.	47
,, c. 87. ss. 11, 12.	Court of Chancery (Officers) Act, 1867.	Repealed	44
,, c. 102. in part	Representation of the People Act, 1867.	Repealed	33
,, c. 129. s. 60	Chancery and Common Law Officers (Ireland).	Amended	58
,, c. 140.	Royal Military Canal	Amended	66
31 & 32 Vict. c. 48. in part	Representation of the People in Scotland	Repealed	33
,, c. 49. s. 12. in part.	Representation of the People in Ireland		
,, c. 58. in part	Parliamentary Electors Registration Act, 1868		
,, c. 112. in part	Registration of Voters (Ireland)		
,, c. 118.	Public Schools	Amended	54
,, c. 122.	Poor Law (Bastardy)	Amended & repealed in part.	65
,, c. 125. s. 40. in part.	Parliamentary Elections Act, 1868.	Repealed	33
,, c. 130. s. 4.	Artizans and Labourers Dwellings.	Repealed	79

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed or amended.	Subject-matter.	How affected.	Chapter of 35 & 36 Vict.
32 & 33 Vict. c. 27. in part -	Wine and Beerhouses -	Repealed	94
„ c. 28. - -	Public Parks (Ireland) -	Amended	6
„ c. 42. - -	Irish Church Act, 1869 -	Amended	13 and 90
„ c. 77. - -	Basses Lights (Ceylon) -	Amended & repealed in part.	55
„ c. 91. ss. 4–7. -	Courts of Justice (Salaries and Funds) Act, 1869.	Repealed	44
33 & 34 Vict. c. 14. - -	Naturalization - -	Amended	39
„ c. 29. in part -	Wine and Beerhouses -	Repealed	94
„ c. 36. - -	Cattle Disease (Ireland) -	Amended	16
„ c. 46. - -	Landlord and Tenant (Ireland).	Amended	32
„ c. 61. - -	Life Assurance Companies	Amended	41
„ c. 67. s. 6. -	Army Enlistment - -	Amended	3
„ c. 75. - -	Elementary Education -	Amended	21, 27, & 59
„ c. 96. s. 7. -	Appropriation Act, 1870 -	Amended	87
„ c. 97. - -	Stamps (Navy Bills) -	Amended	20
34 & 35 Vict. c. 36. - -	Pensions Commutation -	Amended	83
„ c. 43. - -	Ecclesiastical Dilapidations	Amended	96
„ c. 58. - -	Life Insurance Companies	Amended	41
„ c. 65. - -	Juries (Ireland) - -	Amended & repealed in part.	25
„ c. 88. - -	Intoxicating Liquors Licenses Suspension.	Repealed	94
„ c. 93. - -	Epping Forest - -	Amended	95
„ c. 101. - -	Chain Cables and Anchors	Amended	73
„ c. 106. - -	County Boundaries (Ireland).	Amended	48
„ c. 109. - -	Local Government (Ireland)	Amended & repealed in part.	69
„ c. 110. - -	Merchant Shipping -	Amended	73
„ c. 113. - -	Metropolis Water - -	Amended	18 and 79

Table B.—Acts of former Sessions repealed and amended—*continued.*

Repeals effected by the Statute Law (Ireland) Revision Act (35 & 36 Vict. c. 98.)

NOTE.—The Acts in the following Table refer to the Edition prepared under the direction of the Record Commission, intituled "The Statutes of the Realm; printed by Command of His Majesty King George the Third, in pursuance of an Address of the House of Commons of Great Britain. From original Records and authentic Manuscripts." The Dates and Chapters of the Statutes and Acts are taken from that Edition, and the variances with the other Editions are shown in the Foot Notes.

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
20 Henry 3.—The Provisions of Merton, in part; namely,—	
c. 3.	Punishment in cases of Redisseisin.
c. 5.	Usuries shall not run against Minors.
c. 6.	Unlawful Marriage of Heirs, &c.
c. 7.	Refusal of Heirs to marry.
c. 8.	Limitation of Writs, &c.
c. 11.	Trespassers in Parks, &c.
20 Hen. 3. (1)—The Statute of Ireland concerning Coparceners.	
37 Hen. 3. (2)—The Sentence of Curse given by the Bishops against the Breakers of the Charters. (3)	
43 Hen. 3. (4)—Provisions made by the King and his Council.	
51 & 52 Hen. 3. (5)—The Award made between the King and his Commons at Kenilworth. (6)	
52 Hen. 3.—The Statute of Marlborough, in part; namely,—	
c. 6.	Fraudulent Conveyances, &c.
c. 7.	Of the Writ of Ward and Process thereon, &c.
c. 8.	Of Persons taken for Redisseisin.
c. 11.	No fines for Beaupleader.
c. 12.	Of days in Court; in Dower; Quare Impedit, &c.
c. 13.	Of Essoins after Issue joined.
c. 16.	The Heir's Remedy after Wardship for Lands withholden, &c.
c. 22.	Compelling Freeholders to answer, &c.
c. 24.	Concerning the Attendance of those of 12 Years old on Inquests.
c. 26.	Of the Vouchée to Warranty's Appearance in Court.
c. 27.	Of a Clerk's Bail, on his refusing to answer.
c. 29.	Writ of Entry in the Post.
3 Edw. 1.—The Statutes of Westminster; the First, in part; namely,—	
c. 1.	For the maintaining Peace and Justice, &c., &c.
c. 3.	No Fines for Escapes before Judgment.
c. 4.	Wreck.
c. 7.	Purveyance for Castles.
c. 8.	Beaupleader.

(1) 14 Hen. 3. in Ruffhead's Edition.
(2) 38 Hen. 3. in Ruffhead's Edition.
(3) Inclusive of the Instrument (Protestatio Regis et Magnatum) printed in note (*a*) 1 Stats. of the Realm 7, but not in Ruffhead's Edition.
(4) Not in Ruffhead's Edition.
(5) 51 Hen. 3. in Ruffhead's Edition (Appendix).
(6) Inclusive of the Instruments printed 1 Stats. of the Realm 18, and intituled respectively "Explanacio dicti de Kenillworthe," and "Addicio Dicti de Kenillworthe."

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
3 Edw. 1. c. 12.	Felons refusing to plead.
c. 14.	Proceedings in Appeal against Principal and Accessary.
c. 17.	The Remedy if a Distress be impounded in a Castle or Fortress.
c. 18.	Assessing of Common Fines on the County.
c. 22.	Marriage of Wards, &c.
c. 23.	Distress for Debts in Cities, &c., against Strangers.
c. 27.	Extortion by Clerks of Justices, &c.
c. 30.	Extortion by Officers of Courts.
c. 32.	Defaults of Purveyors.
c. 33.	Barretors in County Courts.
c. 36.	Aids for Knighthood and Marriage.
c. 37.	Disseisin with Robbery; or by Force.
c. 38.	Attaints in Real Actions.
c. 39.	Limitation of Prescription.
c. 40.	Vouchers to Warranty.
c. 41.	Champion's Oath in a Writ of Right.
c. 42.	No Essoin after Appearance.
c. 43.	Of Essoins by Parceners, &c.
c. 44.	Essoin of Ultra Mare.
c. 45.	Process to compel Appearance. Estreats of Issues.
c. 46.	Order of hearing Pleas.
c. 47.	Nonage of Heirs in Disseisins.
c. 48.	Unlawful Feoffment of Lands in Ward. Suit of Prochein Amy.
c. 49.	Plea in Dower.
c. 51.	Time of taking certain Assizes enlarged.
4 Edw. 1.	The Statute of Bigamy.
4 Edw. 1. [1]	A Statute concerning Justices being assigned; called Rageman.
6 Edw. 1.	The Statutes of Gloucester, in part; namely,—
	The part preceding c. 1; namely,—Franchises claimed may be used till Trial had, &c.
c. 2.	No Delay for the Nonage of the Demandant.
c. 3.	Alienation by Tenant in Curtesy, void.
c. 4.	Remedy by Cessavit against a Tenant in Fee-Farm.
c. 6.	One Writ of Mortdauncestor for divers Heirs.
c. 7.	Writ of Entry in Casu proviso upon Alienation of Dower.
c. 9.	No Writ out of Chancery in certain cases of Homicide.
c. 10.	One Essoin for Man and Wife.
c. 11.	Feigned Recovery in London against a Termor.
c. 12.	Vouching a Foreigner in London.
c. 13.	Waste restrained pending Suit.
c. 14.	Damages upon Disseisins in London.
c. 15.	Of Breach of Assize in London.
6 Edw. 1.	Exposition of the Statute of Gloucester.
9 Edw. 1.	An Article of the Statute of Gloucester touching the vouching of Foreigners to Warranty in the Hustings in London.
11 Edw. 1.	The Statute of Merchants. [2]
13 Edw. 1.	Statutes of King Edward, made at Westminster, in part; namely,—
c. 3.	A Cui in vita for the Wife, where her deceased Husband lost by Default, &c.
c. 4.	The Wife endowable of Land recovered against her Husband by Default, &c., &c.

[1] In Ruffhead's Edition placed among the Statutes of Uncertain Date.
[2] Otherwise the Statute of Acton Burnel.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
13 Edw. 1. c. 6.	The Penalty where the Vouchee denieth his Warranty, &c.
c. 7.	Admeasurement of Dower for Guardian or Heir, &c.
c. 8.	The Remedy upon a Second Overcharge of Pasture, &c.
c. 9.	The Writ of Mesne, and new Process therein, &c.
c. 11.	On Testimony of Auditors Accomptants may be committed to Prison, &c.
c. 12.	Punishment of an Appellor for a false Appeal.
c. 16.	Priority of Feoffment giveth title of Wardship.
c. 17.	Of the Essoin De malo lecti.
c. 20.	The Tenant's answer in a Writ of Cosinage, Aiel, and Besaiel.
c. 21.	Writ of Cessavit for Services in Arrear.
c. 24.	Writs in consimili Casu, &c.
c. 25.	Of what Things an Assize of Novel disseisin shall lie, whereof it lay not before, &c.
c. 26.	Double Damages in Writs of Redisseisin, &c.
c. 27.	Essoin after Issue, but none after day given, Prece partium.
c. 28.	No Essoin for Demandant.
c. 38.	How many and what Sort of Persons shall be returned in Juries or Petit Assizes.
c. 40.	A Woman's Suit not deferred by the Minority of the Heir.
c. 43.	Hospitallers and Templars shall draw no man into Suit belonging to the King's Court.
c. 44.	The Fees of Porters and Vergers, &c.
c. 46.	Lords may approve against their neighbours usurpation of Commons.
c. 47.	Penalty for taking Salmons at certain times of the year.
c. 48.	In what Cases a View of Land is grantable.
13 Edw. 1.	—The Statute of Merchants.
13 Edw. 1.	—The Statute of Circumspecte Agatis, in part.
13 Edw. 1.	—The Form of Confirmation of Charters.
13 Edw. 1.	—The Statute of Winchester, except the last clause of chap. 6.
20 Edw. 1.	—Of persons vouched to Warranty who are present.
20 Edw. 1.	—A Statute of Waste.
20 Edw. 1.	—The Statute of Defending Right.
20 Edw. 1. (1)	—Statute of Writs for making Inquisitions of Lands to be put in Mortmain.
20 Edw. 1. (2)	—A Statute of amortising lands.
25 Edw. 1. (3)	—The Great Charter of the Liberties of England, and of the Liberties of the Forest, in part; namely,—
c. 2.	Reliefs; of Earls, Barons, Knights.
c. 3.	Wardship. Infant made Knight.
c. 4.	Waste during Wardship. Sale or Gift of Wardship.
c. 5.	Sustaining Lands in Wardship. Custody of Spiritual Dignities.
c. 6.	Marriage of Heirs.
c. 13.	Assizes of Darrein presentment.
c. 19.	Purveyance for a Castle.
c. 20.	Castle Ward.
c. 21.	Purveyance for Carriage.
c. 24.	Writ of Præcipe.
c. 27.	Where the King shall not have Wardship.
c. 28.	Wager of Law.
c. 31.	Baronies escheated to the King. Wardship therein.

(1) In Ruffhead's Edition placed among the Statutes of Uncertain Date.
(2) 34 Edw. 1. Stat. 3. in Ruffhead's Edition.
(3) 9 Hen. 3. in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
25 Edw. 1. c. 33.	Custody of vacant Abbies.
c. 34.	Appeal of Death by a Woman.
c. 36.	Fraudulent Gifts in Mortmain.
c. 37. in part.	Escuage. General Saving. Observance of these Liberties, &c.
25 Edw. 1. [1]	The Sentence of the Clergy given on the Confirmation of the Charters.
27 Edw. 1.	The Statute of Fines levied, in part.
c. 1.	Exception to a Fine, that the Demandant was always seised, shall not be admitted.
c. 2.	How Sheriffs shall be charged with Issues.
28 Edw. 1.	Articles upon the Charters, in part; namely,—
c. 1.	Confirmation of the Great Charter and the Charter of the Forest, &c.
c. 2.	Purveyors. What they shall take. Payment thereof, &c.
c. 4.	No Common Pleas in the Exchequer.
c. 7.	Of the Jurisdiction of the Constable of the Castle of Dover.
c. 8.	Election of Sheriffs.
c. 9.	How Juries are to be impannelled.
c. 14.	Of farming Bailiwicks and Hundreds.
c. 15.	Summons and attachments in Plea of Land.
c. 17.	Statute of Winchester enforced.
c. 18.	Remedy against Escheators for Wastes in Wardships.
28 Edw. 1.	A Statute for Persons appealed.
34 Edw. 1.	The Statute of Joint Tenants, in part.
35 Edw. 1.	The Statute of Carlisle. [2]
2 Edw. 2. [3]	Of the not taking undue Prises from ecclesiastical Persons or others.
3 Edw. 2.	The Statute of Stamford.
9 Edw. 2. Stat. 1.	Articles for the Clergy Statute the First } in part; namely,—
c. 4.	Defamation.
c. 10.	Protection of Persons fleeing unto the Church and abjuring the Realm.
c. 11.	Religious Houses not to be unduly charged with Corodies, Pensions, &c.
c. 12.	The King's Tenant excommunicate not privileged.
c. 15.	A Clerk shall not be compelled to abjure.
c. 16.	The Privilege of the Church shall not be denied to a Clerk becoming an Approver.
10 Edw. 2. [4]	Of inviolably observing the Statute for the Clergy.
12 Edw. 2.	The Statute of York, in part; namely,—
c. 1.	Tenants in Novel disseisin may make Attorney, &c.
c. 2.	Inquests shall not be delayed by the absence of Witnesses to Deeds.
14 Edw. 2.	The Statute of Westminster; the Fourth. [5]
16 Edw. 2.	A Statute for Estreats of the Exchequer.

(1) 25 Edw. 1. Stat. 2. in Ruffhead's Edition.
(2) Statutum de Apportis Religiosorum in Ruffhead's Edition.
(3) Not in Ruffhead's Edition.
(4) 3 Edw. 2. in Ruffhead's Edition.
(5) Statutum de Vicecomitibus et aliis de viridi cera, in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
17 Edw. 2. Stat. 1. (1)	—Ordinance made for the State of the Land of Ireland. Statute the First.
c. 1.	The King's officers in Ireland shall purchase no land there without the King's License.
c. 2.	In what case only Purveyance may be made in Ireland.
c. 3.	Exporting of Merchandise out of Ireland.
c. 4.	Fees of a Bill of Grace.
c. 5.	Fee of the Marshal.
c. 6.	Pardons and Protections.
c. 7.	The Sealing of Writs.
c. 8.	Adjournments of Assizes of Novel disseisin.
STATUTES OF UNCERTAIN DATE.	
	The Statutes of the Exchequer (2), in part; namely,—
c. 1.	All Bailiffs, &c. shall account in the Exchequer.
c. 2.	At what time they shall account.
c. 3.	How Bailiffs of Franchises shall account.
c. 4.	Accounts of the Justice of Chester and Bailiffs of the Isles.
c. 5.	Sheriffs (except in five Counties) shall keep the King's Wards and Escheats in their Shires.
c. 6.	Three Surveyors of Wards, &c. Wards and Escheats let to Farm.
cc. 7, 8.	Foreign Sheriffs Escheators in the five excepted Shires (3).
c. 9.	Duty of the Surveyors.
c. 10.	Collectors of the Customs on Wools.
c. 11.	Keeper of the Wardrobe.
c. 13.	Order of accounting.
c. 14.	Deputy Officers in the Exchequer.
c. 15.	Deputy Officers shall be sworn, &c.
c. 16.	Offences shall be certified.
c. 17.	Yearly Search as to deficient Accountants.
c. 18.	Surveyors of the King's Works to prevent false Allowances, &c.
c. 19.	Estreats of Fines and Amerciaments shall be delivered into the Exchequer.
	Also certain portions of the Provisions inserted between c. 13 and c. 14 (4).
	The Assize of Bread and Ale (5).
	Statute concerning Bakers, &c., in part.
	The Assize of Weights and Measures (6).
	De Dimissione (seu Divisione) Denariorum (7).
	Statute for the Measuring of Land (8).
	Compositio Ulnarum & Perticarum (9).
	General Days in Bank (10).
	General Days in Dower (11).

(1) 17 Edw. 1. in Ruffhead's Edition.
(2) 51 Hen. 3. Stats. 4. and 5. in Ruffhead's Edition.
(3) Inclusive of the part relating to the Justices of Chester and their Bailiffs.
(4) 51 Hen. 3. Stat. 4. in Ruffhead's Edition.
(5) 51 Hen. 3. Stat. 1. in Ruffhead's Edition.
(6) 31 Edw. 1., Tractatus de Ponderibus et Mensuris, in Ruffhead's Edition.
(7) 1 Stats. of the Realm, 204, n. †; 1 Ruffhead, 189.
(8) 33 Edw. 1. Stat. 6. in Ruffhead's Edition.
(9) Stats. of the Realm, 206, n.
(10) 51 Hen. 3. Stat. 2. in Ruffhead's Edition.
(11) 51 Hen. 3. Stat. 3. in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
	A Prohibition made upon the Articles of the Clergy.
	The Statutes of Exeter (1).
	Statute concerning the Sheriff and his Clerks (2).
	The Manner of levying of Fines (3).
	Statute concerning Fines and Attornies (4).
	Statute against allowing Protections (5).
	The Manner of challenging Essoins (6).
	Statute for View of Land; and Essoin in the King's Service.
	Statute concerning the Great Assises and Battles.
	The Statute of Gavelet in London (7).
	Of the King's Prerogative (8), in part; namely,—
c. 1.	Wardship of Heir of the King's Tenant in Chief.
c. 2.	Marriage of Heir of the King's Tenant.
c. 3.	Primer Seisin of Land of the King's Tenant.
c. 4. (9)	Assignment of Dower to Widows of King's Tenants, &c.
c. 5. (9)	Marriage of Heiresses.
c. 6. (10)	Homage for Lands, holden of the King, descending to Co-parceners.
c. 7. (10)	Wardship of Women married under Age.
c. 8. (10)	Alienation of Lands holden in Chief.
c. 9. (11)	Alienation of Serjeanties.
c. 14. (12)	Escheats of Lands descended to Aliens.
c. 15. (13)	Intrusion of the King's Tenant before Homage.
	The Manner of doing Homage and Fealty (14), in part.
	Statute for respiting of Knighthood (15).
	The Statutes of Arms.
	Statute for Oaths of the King's Officers in the Eyre (16).
	The Articles of the Eyre (17).
	Articles of the Office of Escheator (18).
	For extending or surveying a Manor (19).
	Articles of Inquiry, upon the Statute of Winchester (20).
	The Oath of the Sheriff (21).
	Form of the Oath of those of the King's Council (22).
	The Oath of the Bishops (22).
	The Oath of Escheators (22).
	The Abjuration and Oath of Thieves (22).

(1) 14 Edw. 1., in two Instruments, respectively intituled "Statutum Exonie" and "Articuli Statuti Exonie," in Ruffhead's Edition.
(2) Not in Ruffhead's Edition.
(3) 18 Edw. 1. Stat. 4. in Ruffhead's Edition.
(4) 15 Edw. 2., Statutum de Carleol. de Finibus, in Ruffhead's Edition.
(5) 33 Edw. 1. Stat. 1. in Ruffhead's Edition.
(6) 12 Edw. 2. Stat. 2. in Ruffhead's Edition.
(7) 10 Edw. 2. in Ruffhead's Edition. (8) 17 Edw. 2. Stat. 1. in Ruffhead's Edition.
(9) These two Chapters form Chapter 4. in Ruffhead's Edition.
(10) These three Chapters form Chapters 5. and 6. in Ruffhead's Edition.
(11) Chapter 7. in Ruffhead's Edition. (12) Chapter 12. in Ruffhead's Edition.
(13) Chapter 13. in Ruffhead's Edition. (14) 17 Edw. 2. Stat. 2. in Ruffhead's Edition.
(15) 1 Edw. 2. Stat. 1. in Ruffhead's Edition.
(16) Articuli et Sacramenta Ministrorum Regis in Itinere Justiciariorum, in Ruffhead's Edition.
(17) Inclusive of the part headed "Incipiunt Capitula Nova," &c. No part of this Instrument is in Ruffhead's Edition.
(18) Not in Ruffhead's Edition. (19) 4 Edw. 1. in Ruffhead's Edition.
(20) 34 Edw. 1. Stat. 2. in Ruffhead's Edition.
(21) This follows 34 Edw. 1. Stat. 5. in Ruffhead's Edition.
(22) Not in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
1 Edw. 3. Stat. 1.	—Statutes made at Westminster; Statute the First, in part; namely,—
c. 6.	An Attaint as well upon the Principal, as upon the Damages, in Trespass.
c. 7.	Inquiry concerning Gaolers compelling Prisoners to appeal.
1 Edw. 3. Stat. 2.	—Statute the Second, in part; namely,—
c. 1.	Confirmation of the Charters. Perambulations of Forests.
c. 2. in pt.	House-boot and Hey-boot within the Forest.
c. 3.	The late King's Pardon of Issues and Amerciaments.
c. 4.	King's Debts shall be paid according to the Debtor's Estates.
c. 5.	Of Military Service.
c. 6.	Abuses in Taxing Aids to the King.
c. 7.	Charges in the Conveyance of Soldiers.
c. 8.	Stat. Marlb., 52 Hen. III., chapter 11, confirmed.
c. 10.	The King's Demand of Corodies, &c.
c. 11.	Prohibition to the Spiritual Court in Suits against Indictors for Defamation.
c. 12.	Fine for Alienation of Lands holden of the King.
c. 13.	Purchasing of Lands holden of the King as of some Honour.
c. 15.	None shall be bound by Writing to come with Arms to the King.
2 Edw. 3.	—Statute made at Northampton, in part; namely,—
c. 1.	The Charters.
c. 2. in pt.	Pardon for Felony, &c., in part.
c. 6.	The Statute of Wynton, 13 Edw. 1., confirmed, &c.
c. 7.	Justices assigned to inquire of Felonies, Robberies, &c.
c. 9.	All Staples shall cease.
c. 10.	Pardon of Fines for Writs in Chancery.
c. 11.	The Common Bench not to be removed without Warning.
c. 13.	Trespass in the late King's Time.
c. 17.	Writ of Deceit.
4 Edw. 3.	—Statute made at Westminster, in part; namely,—
c. 1.	Charters and Statutes confirmed.
c. 3.	Purveyance.
c. 4.	The Statute 28 Edw. 1. c. 2. touching Purveyors confirmed.
c. 5.	Pardon for certain Fines and Grants.
c. 6.	The Statute 35 Edw. 1. st. 1. confirmed.
c. 8.	Fare of passages at the Ports.
c. 10.	Sheriffs and Gaolers shall receive Offenders without taking anything.
c. 12.	Wines shall be essayed and sold at reasonable Prices.
c. 13.	Confirmation of the Statute 2 Edw. 3. c. 2. touching Pardons.
c. 14.	Annual Parliaments.
c. 15.	Sheriffs shall let their Hundreds for the old Ferm.
5 Edw. 3.	—Statute made at Westminster, in part; namely,—
c. 1.	The Charters.
c. 2.	Purveyance, &c.
c. 3.	The Statute 35 Edw. 1. st. 1. confirmed.
c. 6.	Process in Attaint.
c. 7.	Attaint in Trespass, if the Damage pass Forty Shillings.
9 Edw. 3. Stat. 1.	—Roll of the Statute made at York. Statute the First, in part.
10 Edw. 3. Stat. 1.	—Statute the First.
10 Edw. 3. Stat. 2.	—Statute the Second.
11 Edw. 3.	
14 Edw. 3. Stat. 1.	—Statute the First, in part; namely,—
c. 2.	The King's Pardon of Chattels of Felons, of Fines, &c.
c. 3.	Pardon of divers Debts, &c. due to the King.
c. 4.	Engleschrie and Presentments thereof abolished.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
14 Edw. 3. Stat. 1.	Commissioners appointed to redress Delays, &c. of Courts of Justice, &c.
c. 5.	Sheriffs shall have the keeping of the Gaols.
c. 10.	Clerks of Statutes Merchant shall be resident and sufficient.
c. 11.	One Measure and One Weight throughout England, &c.
c. 12.	Escheators shall not commit Waste in Lands of the King's Wards, &c.
c. 13.	No Pardon for Felony inconsistent with the King's Oath.
c. 15.	Juris Utrum.
c. 17.	Demandant may aver the Death of the Vouchee.
c. 18.	Purveyances for the Royal Houses to be by Warrant, &c.
c. 19.	A subsidy granted to the King, of the Ninth Lamb, the Ninth Fleece, and the Ninth Sheep, &c.
c. 20.	A subsidy granted to the King on Wool, Woolfells, &c.
c. 21.	
14 Edw. 3. Stat. 2.	—Statute the Second.
14 Edw. 3. Stat. 4.	—Statute the Fourth.
15 Edw. 3. Stat. 2.	—Statute the Second.
15 Edw. 3. Stat. 3.	—Statute the Third.
18 Edw. 3. Stat. 2.	—Ordinances made in the Parliament holden at Westminster. Statute the Second, in part; namely,—
	Grant to the King of Two Fifteenths and Two Tenths by the Commons.
c. 1.	Commissions of new Inquiries repealed.
c. 3.	All Persons may buy Wools. The Sea open to all Merchants.
c. 4.	Commissions to assay Weights and Measures repealed.
c. 6.	New Money. Gold and Silver to be coined at York, &c.
c. 7.	Confirmation of the Statutes regulating Purveyance, &c.
18 Edw. 3. Stat. 3.	—Ordinances made in the Parliament holden at Westminster. Statute the Third, in part; namely,—
c. 4.	Exemption of the Clergy from Purveyance.
c. 6.	Commissions, to inquire of Spiritual Judges, repealed.
c. 7.	No Scire facias against a Clerk for Dismes.
20 Edw. 3.	—Ordinance for the Justices, in part; namely,—
c. 5.	—Lords and Great Men shall put away Maintainers of Quarrels.
23 Edw. 3.	—The Statute of Labourers (1).
25 Edw. 3. Stat. 2. (2)	—Statutes in the Parliament holden at Westminster. Statute the Second.
25 Edw. 3. Stat. 3. (3)	—Statute the Third.
25 Edw. 3. Stat. 5.	—Statute made at Westminster. Statute the Fifth, in part; namely,—
c. 1.	Corn shall be taken by Purveyors by Measure striked, &c.
c. 6.	Purveyors shall not take Trees about the Mansion.
c. 8.	No finding of Men of Arms, but by Tenure or Grant in Parliament.
c. 9.	Auncel Weight abolished. Goods shall be weighed by Balance.
c. 10.	Magna Carta, Chapter 25, respecting Measures recited and enforced.
c. 11.	Aid to make the King's Son Knight, and to marry his Daughter.
c. 12.	None shall take profit by exchange of Gold or Silver.
c. 13.	The current Coin shall not be impaired.
c. 15.	The Penalty of Purveyors taking more Sheep before Shearing Time than are wanted.

(1) Inclusive of the Conclusion of this Ordinance printed 1 Stats. of the Realm, 309, being Chapter 8 in Ruffhead's Edition.

(2) Stat. 1. in Ruffhead's Edition.

(3) Stat. 4. in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
25 Edw. 3. Stat. 5.	
c. 16.	Exception of Nontenure of Parcel.
c. 17.	Process of Exigent in Debts, Detinue, and Replevin.
c. 18.	Villainage may be pleaded, and a Villaine seized, pending a Writ of Libertate probanda.
c. 19.	The King's Debtors suable notwithstanding Protections.
c. 20	Plate shall be received at the Mint and Coin delivered by Weight.
c. 21.	Abuses by the King's Butlers in Purveyance of Wine.
c. 23.	Company of Lombards answerable for the Debts of their Fellows.
25 Edw. 3. Stat. 6. (1)	—An Ordinance for the Clergy, made at Westminster. Statute the Sixth, in part; namely,—
c. 2.	A repeal of the Statute of 14 Edw. 3. Stat. 4. cap. 2., touching the King's Presentation to a Church, in another's Right.
c. 6.	Bishop's Temporalities shall not be seized for a Contempt.
25 Edw. 3. Stat. 7.	—The Statute of the Form of levying of the Fifteenth. Statute the Seventh.
25 Edw. 3.	—This Article for the Clergy is respited until the next Parliament.(2)
27 Edw. 3. Stat. 1.	—A Statute against Annullers of Judgments of the King's Court; made in the Twenty-seventh Year. Statute the First, in part; namely,—
c. 4.	The Mischief resulting from Forfeiture of Cloths not measuring the Assize, &c.
c. 6.	Merchants may bring their Wines to English ports.
27 Edw. 3. Stat. 2.	—The Ordinance of the Staples. Statute the Second.
28 Edw. 3.	—The Statute of the Twenty-eighth Year of King Edward 3. in part; namely,—
c. 1.	Charters and Liberties confirmed.
c. 4.	How the King shall be satisfied of the mean Rates of those Lands which come to his Hands by the Death of his Tenants.
c. 5.	Iron shall not be exported.
c. 8.	Attaint given in all Cases of Trespass.
c. 11.	Increase of Murders and Robberies, &c.
c. 12.	Purveyances to the King's Use under xx. s. shall be paid for directly, &c.
c. 13.	The Statute of the Staple 27 Edw. III. Statute 2. confirmed, with certain Amendments, &c.
c. 14.	Shewing of Wools at the Staple, &c.
31 Edw. 3. Stat. 1.	—The Statute made at Westminster. Statute the First, in part; namely,—
c. 1.	Charters confirmed.
c. 4.	Extortion of Bishop's Officers on Probate of Testaments, &c.
c. 6.	Fines from Labourers given to Lords of Franchises.
c. 7.	Statute of Labourers extended to London, &c.
c. 8.	Exportation of Wool permitted for a limited Time.
c. 10.	The Mayor and Aldermen of London may reform the Defaults of Victuallers there.
c. 12.	Error from the Exchequer shall be examined by the Chancellor and Treasurer.
c. 13.	The King's Pardon to the Commons of the Escapes and Chattels of Felons.
31 Edw. 3. Stat. 4.	—An Ordinance made for the Estate of the Land of Ireland. Statute the Fourth.

(1) Stat. 3. in Ruffhead's Edition.
(2) This follows Chapter 9 of 25 Edw. 3. Stat. 3. in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
34 Edw. 3.—A Statute made in the Parliament holden at Westminster - - - }	in part; namely,—
c. 2.	No Purveyance, except for the King, the Queen, and the King's eldest Son.
c. 3.	When Purveyances, &c. for the Queen, &c. shall be paid for.
c. 5.	Justices of the Peace shall inquire of Weights and Measures.
c. 6.	All Measures shall be according to the King's Standard, &c., &c.
c. 7.	An Attaint in Plea Real.
c. 9.	Labourers shall not be punished by Fine under the Statute 25 Edw. 3. Stat. 2. c. 5., but only by Imprisonment.
c. 10.	Punishment of fugitive Labourers; Process of Outlawry, &c.
c. 11.	Mayors and Bailiffs shall deliver up fugitive Labourers.
c. 16.	Nonclaim of Fines shall be no Bar.
c. 17.	Freedom of Trade in Ireland.
c. 18.	English Land-owners in Ireland may import and export from and to England.
c. 19.	No Custom for Canvas to pack Wool in.
c. 21.	Confirmation of a Grant by the King and Council to Denizens to transport Wool beyond Sea.
36 Edw. 3.—A Statute made in the Parliament holden at Westminster - - - }	in part; namely,—
c. 1.	Confirmation of the Great Charter, &c.
c. 2.	Purveyance shall be made only for the King and Queen, &c.
c. 3.	Punishment of a Buyer taking a Bribe.
c. 4.	Commissions to inquire of Buyers and Takers, &c.
c. 5.	No Man of the Household shall keep at Livery more horses than allowed by the Statute 14 Edw. 3. Stat. 1. c. 19; nor retain Purveyors for himself.
c. 6.	Purveyance of Victuals by a Subject, Felony.
c. 7.	Mayors, &c., of the Staple shall take Cognizance of Contracts between Merchants; but not of Felonies.
c. 9.	Remedy in Chancery for Breaches of Statutes.
c. 10.	Parliament every Year.
c. 11.	The late Subsidy shall not be an Example.
c. 14.	Fines of Labourers, &c. shall be levied to Use of the Commons.
c. 15.	Reasons why the Laws should be pleaded in the English Tongue.
36 Edw. 3. Stat. 2.—Of the Pardon made to the Commonalty of the Realm of England. Statute the Second.	
37 Edw. 3.—A Statute concerning Diet and Apparel, except Chapter Two.	
38 Edw. 3. Stat. 1.—Of the Ordinances made in the Thirty-eighth Year. Statute the First.	
42 Edw. 3.—A Statute made at Westminster, in part; namely,—	
c. 1.	Confirmation of the Charters.
c. 2.	Confirmation of the Pardon granted in 36 Edw. 3.
c. 5.	Escheator shall have xx*l.* of Land; and execute his Office in Person.
c. 6.	The Statute of Labourers enforced.
c. 7.	Londoners priviledged to sell at retail Victuals only.
c. 8.	English Merchants shall not pass into Gascoigne to fetch Wines: nor buy Wines until landed.
c. 9.	In levying the King's Debts, the Estreats shall be shewed to the Party indebted, and the Receipts totted.
43 Edw. 3.—Statute made in the Parliament holden at Westminster.	
45 Edw. 3.—Statute of the Forty-fifth Year of King Edward 3., except Chapter Three.	
47 Edw. 3.—Statute of the Forty-seventh Year of King Edward 3.	

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
50 Edw. 3.	Of the Pardons and Graces granted by the King to the Commonalty of his Realm of England, except Chapter Four.
1 Ric. 2.	Roll of the Statutes of the First Year of King Richard 2. - - - in part; namely,—
c. 1.	Confirmation of Charters and Statutes.
c. 2.	The Peace shall be kept, and equal Justice administered.
c. 3.	Action for Prelates against Purveyors.
c. 5.	Statutes for Officers of the Exchequer confirmed, &c.
c. 6.	Villaines and Land-tenants withdrawing their Services under the Pretext of Exemplifications from the Book of Domesday, &c.
c. 7.	Statutes against Maintenance confirmed.
c. 8.	Protections with the Clause Volumus, in what Case not allowable.
c. 9.	Gifts of Lands, Goods, &c. in Fraud, or for Maintenance, &c.
c. 10.	Pardon in 51 Edw. III. confirmed.
c. 13.	Malicious Indictors for suing in Spiritual Courts shall suffer as false Appellors under Stat. Westm. 2. 13 E. 1. c. 12.
c. 14.	In Action for Goods taken away, on Claim of Tythes, General Averment shall not be received.
2 Ric. 2. Stat. 1.	Of the Statute late made at Gloucester, inrolled; in the Second Year.
	Statute the First, except Chapter Five.
2 Ric. 2. Stat. 2.	Of the Statute made at Westminster in the Second Year; inrolled.
	Statute the Second.
3 Ric. 2.	Of the Statute made at Westminster in the Third Year; inrolled, in part; namely,—
c. 1.	Liberties of the Church and Laws of the Realm confirmed.
c. 2.	Statutes as to the Assise of Cloths confirmed.
4 Ric. 2.	Statute made at Northampton, in the Fourth Year, in part; namely,—
c. 2.	The King's Pardon of Escapes of Felons.
5 Ric. 2. Stat. 1.	Statute and Ordinances made at Westminster; in the Fifth Year.
	Statute the First, except Chapter Seven. (1)
5 Ric. 2. Stat. 2.	Ordinances and Agreements made in the Parliament holden at Westminster.
	Statute the Second, except Chapter Four.
6 Ric. 2. Stat. 1.	Statute made at Westminster in the Sixth Year.
	Statute the First, except Chapter Two.
6 Ric. 2. Stat. 2.	Statute made at Westminster in the Sixth Year.
	Statute the Second.
7 Ric. 2.	Statute made at Westminster in the Seventh Year, in part; namely,—
c. 1.	Liberties of the Church confirmed.
c. 2.	The Charters and Statutes confirmed.
c. 5.	Justices shall examine Vagabonds.
c. 6.	The Statute of Winchester confirmed.
c. 8.	The Statutes of Purveyors confirmed, and extended to Servants of Subjects.
c. 9.	Statutes made against deceit in Cloths to be sold, &c., confirmed.

(1) Chapter 8. in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
7 Ric. 2. c. 10.	Trial of Assize for Rent out of Lands lying in Two Counties.
c. 11.	The Statutes 5 Ric. II. c. 4, 5, and 6 Ric. II. c. 7, 11, 12, concerning Fishmongers, Victuallers, and Vintners, repealed, &c.
c. 16.	No Armour or Victual shall be sent into Scotland without Licence of the King; on Pain of Forfeiture thereof.
c. 17.	When Mainpernors shall be liable in Damages by Delay.
8 Ric. 2.	—Statute made at Westminster in the Eighth Year, in part; namely,—
c. 1.	Liberties of the Church, and Statutes confirmed.
c. 2.	No Lawyer shall be a Judge in his own Country.
9 Ric. 2.	—Of the Statute made at Westminster in the Ninth Year.
10 Ric. 2.	—Of the Statute made at Westminster in the Tenth Year.
11 Ric. 2.	—Of the Statutes made at Westminster in the Eleventh Year, except Chapter Ten.
12 Ric. 2.	—Of the Statute made at Cambridge; in the Twelfth Year; in part; namely,—
c. 1.	Liberties of the Church, the Charters and Statutes confirmed.
c. 3.	No Servant shall depart from one Hundred to another.
c. 4.	The several Penalties for giving or taking more Wages than is limited by Statute.
c. 5.	Whosoever serveth in Husbandry until Twelve Years old shall so continue.
c. 6.	No Servants in Husbandry shall wear any sword, &c.
c. 7.	The Punishment of Beggars able to serve.
c. 8.	Travellers reporting they have been imprisoned beyond the Seas, shall produce Testimonials.
c. 9.	The Statute of Labourers shall be executed within Cities and Boroughs.
c. 14.	Statute 47 Edw. III. chapter 1. for Cloths confirmed.
13 Ric. 2. Stat. 1.	—Statute of the Thirteenth Year. Statute the First, in part; namely,—
c. 3.	Limits of Steward and Marshal's Jurisdiction.
c. 4.	Duty of the Clerk of the Market of the King's House; as to Weights, &c.
c. 6.	Number of Serjeants at Arms, thirty.
c. 9.	One Measure and one Weight throughout the Realm, except in Lancashire, &c.
c. 10.	Cogware and Kendal Cloth may be made of their usual Length and Breadth.
c. 11.	Inconveniences from exporting deceitful Cloth.
c. 12.	No Shoemaker shall be a Tanner; nor any Tanner a Shoemaker.
c. 13.	None shall hunt but they wch have a sufficient Living.
c. 14.	Bonds to the King in the Exchequer shall not be of the Double.
c. 15.	Castles and Gaols united to their Counties.
c. 16.	Protection Quia Profecturus, when allowable, &c.
c. 17.	In Suits against particular Tenants the Reversioner may be received to defend his Right, &c
c. 18.	Proceedings against the Mayor and Bailiffs of Lincoln upon the Petition of the Bishop, &c. thereof.
c. 20.	At what Ports persons going beyond Sea shall embark.
13 Ric. 2. Stat. 3.	—Statute the Third.
14 Ric. 2.	—Of the Statute made at Westminster, except Chapter Eleven.
15 Ric. 2.	—Of the Statute of the Fifteenth Year, in part; namely,—
c. 1.	Former Statutes confirmed.
c. 4.	Eight Bushels of Corn striked make the Quarter, &c.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
15 Ric. 2. c. 7.	Stat. 7 Ric. 2. c. 16. recited; Armour, Corn, or Victuals allowed to be carried to Berwick, &c.
c. 8.	St. 14 Ric. 2. c. 7., as to the Export of Tin, repealed.
c. 9.	Statute of the Staple 27 Edw. 3. st. 2. cap. 9. recited and confirmed.
c. 10.	None shall buy Cloths of Guildford until they are fulled, &c.
c. 11.	Girdlers freed from restraint of certain Patents.
c. 12.	None shall be compelled to answer in private Courts for Matters determinable by the Law of the Land.
16 Ric. 2.—	Statute of the Sixteenth Year, in part; namely,—
c. 1.	Recital of 9 Edw. 3. st. 1. chap. 1. that Merchants may freely buy and sell, &c.
c. 2.	The Statute 15 Ric. 2. chapter 12., confirmed.
c. 3.	Weights and Measures shall be according to the Standard in the Exchequer; and be preserved, &c. by the Clerk of the Market, &c.
c. 4.	Who may only wear another's Livery.
17 Ric. 2.—	Statutes of the Seventeenth Year, in part; namely,—
c. 1.	9 Edw. 3. stat. 2. ch. 3. against melting Money recited; extended to Groats and Half-Groats.
c. 2.	Cloths may be made of any Length and Breadth, &c.
c. 7.	All the King's Subjects may carry Corn out of the Realm when they will.
c. 12.	The Statute 28 Edw. 3. c. 10. shall not extend to erroneous Judgments in London.
20 Ric. 2.—	Statute of the Twentieth Year.
21 Ric. 2.—	Statute of the Twenty-first Year.
1 Hen. 4.—	Statute of the First Year, except Chapter Six.
2 Hen. 4.—	Statute of the Second Year, in part; namely,—
c. 1.	Confirmation of Liberties, Charters, Statutes, &c.
c. 5.	Recital of 5 Ric. 2. st. 1. ch. 2. touching the exporting of Gold or Silver, &c.
c. 8.	Fee of the Cyrographer of the Common Pleas for Fine levied, &c.
c. 9.	Certain Commissioners made in the Time of Richard 2. may be discharged by their Oaths.
c. 10.	The Fee of the Clerk of the Crown of the King's Bench for Indictments.
c. 11.	The Statute 13 Ric. 2. stat. 1. c. 5. as to the Admirals Jurisdiction confirmed, &c.
c. 12.	Certain Restraints laid on wholly born Welshmen.
c. 13.	Recital of the Pardon granted by the Statute 21 Ric. 2. c. 15; Confirmation thereof; notwithstanding the Repeal by Statute 1 Hen. 4. c. 3.
c. 14.	The Statutes of Purveyors confirmed. Purveyance of 40*s.* or under.
c. 15.	The Orthodoxy of the Church of England asserted.
c. 16.	Excesses committed by the Welsh on their English neighbours.
c. 17.	Execution may be done in Wales on Attainder of Welshmen in England.
c. 18.	The Lord Marchers in Wales shall keep sufficient Ward.
c. 19.	Of Suits against Englishmen in Wales.
c. 20.	Welshmen shall not purchase lands in England.
c. 21.	Recital of the Statute 1 Hen. 4. c. 7. respecting Liveries; The Statute 1 Hen. 4. c. 7. confirmed and amended.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
2 Hen. 4. c. 22.	Suits for Pardon may be made, notwithstanding the Statute 11 Ric. 2. c. 1.
c. 23.	Fees of the Marshal of the Marshalsea of the King's House.
c. 24.	Processes against such as were with the Duke of York, temp. 23 Ric. 2. for Wages received by them shall be discharged.
4 Hen. 4.—	Statutes of the Fourth Year, in part; namely,—
c. 1.	Confirmation of Liberties, Charters, and Statutes.
c. 2.	The Statutes 25 Edw. 3. for the Clergy confirmed, &c.
c. 3.	Liberties of the Church and Clergy confirmed, &c.
c. 4.	The King will grant no Lands, &c. but to such as shall deserve them.
c. 6	Cloths of London used to be sealed.
c. 7.	Concerning the Special Assise. Recital of 1 Ric. 2. c. 9., giving Remedy against Disseisors, &c.
c. 8.	Mischiefs accruing from forcible Entries.
c. 9.	Remedy for Commissioners distrained to return Commissions of which they had not any Notice.
c. 11.	Former statutes touching Wears, &c. confirmed, &c.
c. 13.	St. 1. Edw. 3. St. 2. ch. 5.; 18 Edw. 3., chapter 7.; 25 Edw. 3. St. 5. ch. 8. touching Service in War, confirmed, &c.
c. 14.	Labourers shall not be hired by the Week; nor paid for Holidays.
c. 17.	Infants shall not be received into Orders of Friars without the Consent of Parents, &c.
c. 18.	Attornies shall be examined by the Judges and enrolled and sworn.
c. 19.	No Officer of a Lord of a Franchise shall be Attorney in the same.
c. 24.	Statute 17 Ric. 2. chapter 5.
c. 26.	Englishmen shall not be convict by Welshmen in Wales.
c. 28.	Against Congregations in Wales.
c. 30.	No Victual or Armour shall be carried into Wales.
c. 31.	Welshman shall not have Castles.
c. 32.	No Welshmen shall bear Office.
c. 33.	Castles and Walled Towns in Wales shall be kept by Englishmen.
c. 34.	Englishmen married to Welsh women shall not bear Office in Wales.
c. 35.	Recital of the Statute 13 Ric. 2. st. 1. ch. 12.
5 Hen. 4.—	Statutes of the Fifth Year, in part; namely,—
c. 3.	Watch shall be made upon the Coasts, as under Statute of Winton, 13 Edw. 1.
c. 8.	In Actions of Debt, as on Accounts before Auditors, the Judges may receive Defendants to their Law, or try the Matter by Inquest.
c. 9.	The Statute 4 Hen. 4. c. 15. confirmed, &c.
c. 12.	Execution allowed on a Statute Merchant once showed in Court.
c. 14.	To prevent Forgery, &c. of Notes, &c. of Fines of Lands.
c. 15.	The King's General Pardon. Exceptions.
6 Hen. 4.—	Statutes of the Sixth Year, except Chapter Two.
7 Hen. 4.—	Statute of the Seventh Year, in part; namely,—
c. 4.	1 Ric. 2. c. 12. No Protection allowable in Actions against Gaolers, for Escapes.
c. 8.	No Licence or Pardon shall be granted on Provision to a Benefice full of an Incumbent.
c. 10.	Length and Breadth of Cloths.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
7 Hen. 4. c. 11.	Commissioners not receiving their Commissions shall be discharged in the Exchequer upon Oath.
c. 14.	Stat. of 1 Hen. 4. c. 7. and 1 Ric. 2. c. 7. touching the giving of Liveries recited.
c. 16.	Annuities granted by the Crown shall be paid according to Priority.
c. 17.	Confirmation of Statutes 25 Edw. 3. Stat. 2. and 12 Ric. 2. c. 3. concerning Labourers, &c.
c. 18.	None shall be punished for repressing of the late Insurrections. Pardon.
9 Hen. 4.	—Statutes of the Ninth Year.
11 Hen. 4.	—Of the Statutes in the Eleventh Year.
13 Hen. 4.	—Of the Statutes in the Thirteenth Year of King Henry IV., &c., except Chapter Seven.
1 Hen. 5.	—Statutes of the First Year of King Henry V., in part; namely,—
c. 1.	Statutes for the election of Knights of the shire confirmed, &c.
c. 2.	The Statutes relating to Wears, &c. confirmed.
c. 3.	Forging of false Deeds. Party grieved may sue.
c. 6.	No Actions shall be brought by Welshmen in respect of Injuries sustained in the late Rebellion.
c. 8.	Irishmen and Irish Clerks Mendicant shall depart the Realm.
c. 9.	Recital of Grants of the Revenues, Offices, &c. of Calais to certain Persons by Letters Patents, &c.
c. 10.	The lawful Measure of Corn, according to former Ordinances, &c.
2 Hen. 5. Stat. 1.	—Statutes of the Second Year of the same King. Statute the First, in part; namely,—
c. 4. in part.	Statute 12 Ric. 2. chap. 3., &c. confirmed. Justices of the Peace may send their Writs to the Sheriffs for fugitive Servants or Labourers, &c.
c. 5.	Outrages committed by Persons dwelling in Tyndal and Exhamshire in Northumberland.
c. 6.	Breaches of Truces and Safe-conducts of the King declared to be High Treason, &c.
c. 7.	Suggested evils from the religious sect called Lollards, &c.
c. 9	Commission of Murders, Riots, &c. and the Flight of Offenders, &c.
2 Hen. 5. Stat. 2.	—Other Statutes of the same Year. Statute the Second, except Chapter One.
3 Hen. 5.	—Statutes of the Third Year.
4 Hen. 5. [vel 3 Hen. 5. Stat. 2.]	(1)—Statutes of the Fourth Year.
4 Hen. 5. [Stat. 2.]	—Statutes of the same Fourth Year, A.D. 1416, except Chapter One.
5 Hen. 5.	—An Ordinance in the Fifth Year.
7 Hen. 5.	—Indictments in the Co. Palatine of Lancaster for Treasons laid in a place not existing, &c.
8 Hen. 5.	—Statutes of the Eighth Year.
9 Hen. 5. Stat. 1.	—Statutes of the Ninth Year. Statute the First, in part; namely,—
c. 2.	On Outlawries in Lancashire, Goods and Lands in other Counties shall not be forfeited, &c.
c. 3.	Assises shall be taken as heretofore, &c.

( ) 3 Hen. 5. Stat. 2. in Ruffhead's Edition. See note, 2 Stats. of the Realm, 192.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
9 Hen. 5 Stat. 1.	Recital of St. 14 Edward 3. Stat. 1. cc. 7, 8., concerning Sheriffs
c. 5.	and Escheators.
c. 6.	A Mint allowed at Calais.
c. 8.	Offences committed by Scholars at Oxford.
c. 9.	Abbots and Priors shall not be appointed to collect the Dismes out of their own Counties.
c. 11.	English Gold Coin shall be received by Weight.
9 Hen. 5. Stat. 2.	—Other Statutes of the same Ninth Year. Statute the Second, except Chapter Eleven.
1 Hen. 6.	—Statutes of the First Year.
2 Hen. 6.	—The Second Year, in part; namely,—
c. 3.	John Duke of Bedford being in the King's service allowed to appear in Suits by Attorney.
c. 4.	Recital of an Ordinance of 36 Edw. 3. respecting Merchandises of the Staple, &c.
c. 6.	The Statute 9 Hen. 5. st. 1. c. 6. for a Mint at Calais confirmed, &c.
c. 7.	Cordwainers shall not be Tanners.
c. 8.	The Statute 1 Hen. 6. c. 3. touching Irishmen in England, recited, &c.
c. 9.	The Money called Blanks abolished.
c. 10. (1)	Deceitful Works of Embroiuery of Gold and Silver shall be forfeited.
c. 11. (1)	Concerning the Reversal of Outlawries pronounced against Persons whilst abroad in the Service of the King.
c. 12. (1)	The Justices of the Peace of certain Counties shall enquire of Weirs, &c. upon the Thames, &c.
c. 13. (2)	All Patent Officers in the King's Courts shall be sworn to appoint sufficient Clerks.
c. 15. (3)	The Master of the Mint shall keep his Allay in making of white Money; and shall receive Silver at the Mint at the true Value, &c.
c. 16. (4)	The Price of a Pound of Silver in Plate, Piece, or Mass.
c. 18. (5)	Recital of St. 2 Hen. 5. st. 1. ch. 4. respecting Servants and Labourers, &c.
c. 19.	The Penalty of fastening trinks or nets across any river, &c.
c. 20. (6)	The Statute Westm. 2. 13 Edw. 1. ch. 3. recited, &c.
c. 21. (7)	Escape of Prisoners, committed for High Treason, declared to be Treason, &c.
4 Hen. 6.	—Statutes of the Fourth Year of King Henry 6, except Chapter Three.
6 Hen. 6.	—Roll of the Statutes of the Sixth Year of the Reign of K. Henry 6, except Chapter One.

(1) In Ruffhead's Edition these three Chapters, in the form of a short abstract or note of the contents, are placed in succession, without any numbers, immediately after Chapter 9. and before Chapter 10. of that Edition.

(2) Chapter 10. in Ruffhead's Edition. (3) Chapter 12. in Ruffhead's Edition.

(4) Chapter 13. in Ruffhead's Edition.

(5) In Ruffhead's Edition this chapter, in the form of a short abstract or note of the contents, is placed without a number, immediately after Chapter 14. and before Chapter 15. of that Edition.

(6) Chapter 16. in Ruffhead's Edition. (7) Chapter 17. in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
8 Hen. 6.—Statutes of the Eighth Year of K. Henry 6, in part; namely,—	
c. 3.	The Statute 6 H. 6. c. 5. recited; Commissioners of Sewers empowered to execute their own Ordinances.
c. 4.	For the purposes of executing the Statutes 1 Hen. 4. c. 7., 1 Hen. 4. c. 14., against unlawful liveries, Justices of the Peace, &c. may proceed against offenders by attachment, distress, capias and exigend, &c.
c. 5.	Magna Carta and certain Statutes [See 25 Edw. 1. chapter 25.; 25 Edw. 3. stat. 5. ch. 9.; 27 Edw. 3. stat. 2. ch. 10.; 34 Edw. 3. chap. 5.; 13 Ric. 2. stat. 1. ch. 9.] relating to Weights and Measures, confirmed, &c.
c. 6.	Burning of Houses by Persons sending Bills to appoint Money to be laid in a certain Place, made High Treason.
c. 7.	Electors of Knights of the Shire shall have 40 shillings a year freehold and be resident, &c.
c. 8.	The Statute 6 H. 6. c. 3. respecting Wages of Labourers, &c. continued.
c. 11.	Custom of London respecting taking of Apprentices there.
c. 13.	In Protections for Persons going with the King to France, Assises of Novel Disseisin shall not be excepted, &c.
c. 14.	Recital of the Statute 2 Hen. 5. stat. 1. ch. 9., directing Process of Capias, and Proclamation against Offenders withdrawing themselves, &c.
c. 25.	The present Mayor of the Staple of Calais shall stay Two Years in Office.
c. 26.	In Writs of Assise and Personal Actions for Lands or Matters within Franchises, if Defendant make Default to oust the Lords, &c. of Franchises of their Jurisdiction, the Writ shall abate.
c. 27.	Robberies and Injuries on the Severn, &c.
c. 29.	The Statute 27 Edw. 3. st. 2. cap. 8. respecting Inquests de medietate linguæ, &c.
9 Hen. 6.—In part; namely,—	
c. 1.	All Assises and Nisi prius adjourned during this Parliament.
c. 7.	Extortions, &c. by Sheriffs in the County of Hereford, &c.
c. 10.	The Statute 4 Henry 5. [3 H. 5. st. 2.] chapter 2., authorizing certain Religious Persons to make Attornies, recited.
c. 11.	Recital of the Circumstances of the Case of the Coheirs of Edmund Earl of Kent; Claim of Alianour Wife of James Lord Audley, to be the lawful Daughter of the said Edmund Earl of Kent, &c.
10 Hen. 6.—In part; namely,—	
c. 2.	The Statute 8 Hen. 6. c. 7. as to Freehold qualification of electors of Knights of the Shire.
c. 3.	Letters of Request, under the Privy Seal, shall be granted to Subjects whose Goods are taken by Danish Subjects.
c. 4.	Outlawries, &c. in Actions at the Suit of Parties not actually appearing, &c.
c. 5.	St. 21 Ric. 2. c. 18. recited relative to repairing Beacons, &c. at Calais.
10 Hen. 6. Stat. 2.—Statute the Second.	
11 Hen. 6.—In part; namely,—	
c. 2.	In Assises of Novel Disseisin, Sheriffs are sometimes named as Disseisors, in order to have Writs of Execution directed to the Coroners.
c. 3.	Recital of the Statute 4 H. 4. c. 7.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
11 Hen. 6. c. 4.	Perjury of Jurors, and Pleas and Delays at the Common Law, in Attaints against them.
c. 5.	After any assignment by Tenant for Life or Years, the Reversioner may have Action of Waste against him, as before any such Assignment, if he continue to take the Profits.
c. 7.	Recital of the Statute 9 H. 6. c. 7. restraining Extortions of the Sheriff of County of Hereford.
c. 8.	Recital of St. 1 H. 5. c. 10., as to the Measure of Corn, &c.
c. 9.	Recital of the Statutes 17 H. 2. c. 2., 7 H. 4. c. 10., 11 H. 4. c. 6., respecting the Alnage and Measure of cloths, &c.
c. 10.	Whenever Recognisors in Statutes Staple, arrested in Execution, sue out Writs of Corpus cum causâ or Scire facias, Surety shall be given severally to the King and to the Recognisee.
c. 12.	Exactions of Wax Chandlers, &c.
c. 15.	Customers shall give Warrants of Discharge to Merchants having paid their Custom.
c. 16.	Penalty on Customers giving, and Merchants receiving, Blank Cockets to defraud the Customs.
14 Hen. 6.—In part; namely,—	
c. 4.	The Statutes as to holding Sessions in Counties Four Times a Year.
c. 8.	Recital of the Statute 2 Hen. 5. st. 1. ch. 6. concerning Breakers of Truces, &c.
15 Hen. 6.—	
18 Hen. 6.—In part; namely,—	
c. 2.	Recital of the Statute 15 H. 6. c. 5. relative to Qualification of Jurors in Attaints; Freeholders in Gavelkind may be Jurors.
c. 5.	Qualification of Collectors of Tenths in Cities, to be also Collectors of Fifteenths in Counties, Five Pounds per annum, within the County.
c. 8.	For the further Security of the Captors of the Ships of Enemies, Alien Merchants may lade Ships of Enemies, being under the King's Letters of Safe-Conduct, &c.
c. 9.	Recital of Statute 10 H. 6. c. 4. for recording the personal appearance of Plaintiffs, &c.
c. 10.	Recital of St. 6 H. 6. c. 5. as to Commissioners of Sewers, &c.
c. 11.	Abuse in the Appointment of Justices of the Peace.
c. 12.	Recital of St. 9 H. 5. stat. 1. c. 1. touching false Appeals and Indictments and Doubts whether it be expired.
c. 13.	Recital of St. 9 Hen. 5. stat. 1. ch. 2. as to Forfeitures upon Outlawries in Lancashire.
c. 14.	Sheriffs, &c. taking Bribes for making Arrays and Panels of Juries, shall forfeit Ten Times the Amount to the Party grieved.
c. 16.	Evil of Measuring Cloths by the London Measure.
c. 19.	Evils of Desertion in the King's Service.
20 Hen. 6.—Except Chapter Nine.	
23 Hen. 6.—In part; namely,—	
c. 1.	Recital of St. 36 Ed. 3. stat. 1. ch. 2. relating to Purveyors, &c.
c. 3.	Recital of the Statute 20 Hen. 6. c. 10. touching Deceits in the making of Worsteds in Norwich and Norfolk, &c.
c. 5.	The Statute 15 Hen. 6. c. 2. as to Export of Corn, recited.
c. 6.	The gathering of Head-pence by the Sheriff of Northumberland shall cease.
c. 8.	Recital of the Statute 6 Hen. 6. c. 5. relating to Commission of Sewers.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter
23 Hen. 6. c. 9.	No Sheriff shall let his County, &c. to farm, &c.
c. 10.	Extortion of Sheriffs in levying Wages Knights of the Shire, &c.
c. 11.	Trial of Foreign Pleas after Issue joined, &c.
c. 12.	Servants in Husbandry purposing to leave their Masters must engage with a new one, and give warning to the old; or continue to serve the First Master.
c. 13.	Penalty on Buyers or Purveyors of Subjects taking any Thing against the Owner's Will.
c. 14.	Recital of Stat. 1 H. 5. c. 1. and of Stat. 8 H. 6. c. 7. Defaults of Sheriffs on returning Knights to Parliament, &c.
c. 17.	Subjects may buy Wines in Gascony, &c. without any new Charges, &c.
25 Hen. 6.—	All Statutes against Welshmen confirmed.
27 Hen. 6.—	Of the Twenty-seventh Year, except Chapter Five.
28 Hen. 6.—	Of the Twenty-eighth Year.
29 Hen. 6.—	Of the Twenty-ninth Year, in part; namely,—
c. 2.	St. 2 Hen. 5. stat. 1. chap. 6. as to Safe-Conducts, confirmed, &c.
31 Hen. 6.—	Of the Thirty-first Year.
33 Hen. 6.—	Of the Thirty-third Year.
39 Hen. 6.—	In the Thirty-ninth Year.
1 Edw. 4.—	In the First Year, in part; namely,—
c. 1.	What Acts, judicial, &c., done in Times of Kings Henry 4. 5. and 6. shall be valid. Fines, &c.; other than in Parliament, &c. &c.
3 Edw. 4.—	In the Third Year.
4 Edw. 4.—	In the Fourth Year.
7 Edw. 4.—	In the Seventh Year.
8 Edw. 4.—	In the Eighth Year.
12 Edw. 4.—	In the Twelfth Year, except Chapter One.
14 Edw. 4.—	In the Fourteenth Year.
17 Edw. 4.—	In the Seventeenth Year, in part; namely,—
c. 1.	Recital of St. 9 Edw. 3. st. 2. c. 2.; 2 H. 4. c. 6. No Irish Money shall run in Payment in England or Wales, upon Pain of Forfeiture thereof, &c.
c. 3.	The Mischief of certain unlawful Games, &c.
c. 5.	Recital of St. 4 Edw. 4. chapter 1. Woolen Cloths, Half Cloths, &c. shall be sealed with Wax at both Ends, instead of one Seal of Lead.
c. 6.	Repeal of a Parliament holden 9 [*vel* 10] Edw. 4. [49 Hen. 6.] and of all the Acts therein made, and of all Exemplifications thereof.
22 Edw. 4.—	In the Twenty-second Year, in part; namely,—
c. 1.	Former Statutes respecting Apparel, &c.
c. 2.	The Contents of Vessels of Salmon, Herrings, and Eels; and how Fish shall be packed, &c.
c. 4.	Benefits of Archery. Price of Long Bows shall not exceed 3*s.* 4*d.*, &c.
c. 5.	Evil of using Fulling Mills in the making Caps, &c.
c. 6.	Swans in the hands of Yeomen and husbandmen.
c. 8. in part.	For Benefit of the Town of Berwick, Merchandises brought out of Scotland or the Isles, shall be first brought to Berwick; or to Carlisle, &c.
1 Ric. 3. c. 1.—	An Act agaynst pryvy and unknowen Feoffementȩ.
c. 2.	An Act to free the Subject from Benevolencȩ.
c. 5.	An Act touching Feoffmtis made to the Kynge to the use of others.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
1 Ric. 3. c. 7.	An Act for ꝑclamacõn uppon Fynes levyed.
c. 14.	An Act for Dysmes graunted in the ꝑvinces of Canterbury and Yorke.
1 Hen. 7. c. 1.	An Act that the Demaundant in a forme downe shall have his acc̃on agaynst the ꝑner of the ꝑffyttꝭ.
c. 4.	An Acte for Busshopps to punysh Priests and other religious men for dishonest lyffe.
c. 5.	Tanners.
c. 6.	An Acte that certayne ꝑsons wthin Sanctuary shall not have any acc̃ons brought agaynst them.
c. 10.	ꝑ Mcatoribꝫ Italie.
3 Hen. 7. c. 1. (1)	An Acte geving the Court of Star-chamber Authority to punyshe dyvers Mysdemeanors.
c. [2.] in part (2)	An Acte agaynst Murderers.
c. 4.	An Acte agaynst fraudulent deedꝭ of gyft.
c. 5.	An Acte agaynst Usury and unlawfull bargaynes.
c. 6.	An Acte agaynst Exchaunge and Rechaunge wthout the Kingꝭ Lycence.
c. 7.	An Acte agaynst Marchantꝭ carrying of goodꝭ from one Port to an other without a certificat from the Customer where the goodꝭ were fyrst entred.
c. 9.	An Acte that the Cytizens of London maye carry all manner of Wares to forrayne Marketꝭ.
c. 12.	An Acte agaynst retayneing any of the Kyng's Tenants.
c. 13.	An Acte agaynst the excessyve price of Longe bowes.
c. 16. (3)	An Act to enable Feoffes in trust to sue for the benefytt of ye Feffors although they be outlawed.
4 Hen. 7. c. 1.	An Act for the graunting forth of Cõmyssions for Sewers.
c. 4.	An Acte that all ꝑsons serving the Kynge beyound the Sea in Bryttayne may have their ꝓtecc̃on of ꝓfectur & moratur (4).
c. 5.	An Act to make voide ꝛres patentꝭ made to Abbottꝭ Pryors & others for gathering and paying of dysmes (5).
c. 6.	An Acte that the Office of Styward Forester keep of the Forest of Inglewood shalbe voide (6).
c. 7.	An Acte that the Yeomen and Gromes of ye Kingꝭ Chamber geve theire Attendaunceꝭ on the Kinge.
c. 8.	Wollen Yarn.
c. 9.	Hattes and Cappes.
c. 11.	An Acte for the mayntenaunce of Drapery and making of Cloth.

(1) This forms the first paragraph of Chapter 1. in Ruffhead's Edition.
(2) This forms the second paragraph of Chapter 1. in Ruffhead's Edition.
(3) Not in Ruffhead's Edition.
(4) Inclusive of the enactments placed under the heading "An Act for the passing and "t^{a}nsmutac̃on of landꝭ without Fyne," which before the publication of The Statutes of the Realm had always been printed as part of Chapter 4.
(5) Inclusive of the provisoes entered on the Inrollment and printed 2 Stats. of the Realm, 530, n.
(6) Inclusive of the provisoes entered on the Inrollment and printed 2 Stats. of the Realm, 533, n.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 98.	Subject-matter.
4 Hen. 7. c. 12.	An Acte for Justice of Peace for the due execucon of theire Comyssions.
c. 17.	An Act agaynst fraudulent feoffmente tendinge to defraude the Kinge of his wardes.
c. 18.	An Acte agaynst counterfeting of forrayne Coyne.
c. 19.	An Acte agaynst pullyng down of Tounes.
c. 21.	An Acte for the Preservation of the Frye of Fyshe.
c. 22.	An Acte agaynst the deceyptfull waight and working of the golde of Venice Florence & Jeane.
c. 23.	An Act agaynst carrying awaye of coyne plate vesselle or Jewelle out of this Realme.
c. 24.	An Acte for pclamacons to be made uppon Fynes.
7 Hen. 7. c. 1.	An Acte agaynst Captaynes for not paying theire Soldyers theire Wages, and agaynst Soldyers going from theire Captaynes w^th^out licence.
c. 2. (1)	An Act for dyvers privilege to be graunted to psons being in the Kinge Warrs.
c. 3. (2)	An Acte for Waighte and Measures.
c. 5. (3)	An Acte that Abbotte & Pryors shall paye such quinzime & disme as they ought to paye by an Act in the tyme of King Edw. the Fowerth.
c. 6. (4)	Cont^a^ Scotos.
c. 7. (5)	An Act to paye Custome for every butt of Malmesey.
c. 9.	Orford.
c. 10.	An Acte that noe persons outlawed within the Co. of Lancaster should forfeit any of his lands or goods in any other shire but in the same shire.
c. 11. (6)	Conc xvme.
c. 24. (6)	An Act for the County Palentyne of Lancaster.

Repeals effected by the Statute Law Revision Act (35 & 36 Vict. c. 63.)

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
13 Geo. 3. c. 31.	Criminal Law.
14 Geo. 3. c. 83. in pt.	Government of Quebec.
c. 88. in pt.	Administration of Justice, Quebec.
21 Geo. 3. c. 65.	East Indies.
c. 70. in part.	East Indies.
22 Geo. 3. c. 82. in pt.	Civil List, &c.
23 Geo. 3. c. 36.	East Indies.

(1) Chapters 2. and 3. in Ruffhead's Edition.
(2) Chapter 4. in Ruffhead's Edition.
(3) Chapter 6. in Ruffhead's Edition.
(4) Chapter 7. in Ruffhead's Edition.
(5) Chapter 8. in Ruffhead's Edition.
(6) Not in Ruffhead's Edition.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
24 Geo. 3. Sess. 2. c. 25. in part.	East Indies.
25 Geo. 3. c. 70.	Duties on Servants.
c. 84. in part.	Elections of Members of Parliament.
26 Geo. 3. c. 57. in pt.	East Indies.
c. 81.	British Fisheries.
28 Geo. 3. c. 8.	East Indies.
31 Geo. 3. c. 31. in pt.	Canada.
32 Geo. 3. c. 63. s. 1.	Relief to Members of the Episcopal Communion (Scotland).
33 Geo. 3. c. 52. in pt.	East Indies.
34 Geo. 3. c. 73.	Elections of Members of Parliament.
36 Geo. 3. c. 52. in pt.	Duties on Legacies, &c.
37 Geo. 3. c. 25. in pt.	Militia (Tower Hamlets).
c. 31.	East India Stock.
38 Geo. 3. c. 5. in part.	Land Tax.
c. 48. s. 2.	Land Tax.
39 & 40 Geo. 3. c. 81. (except s. 3.)	Hop Trade, &c.
41 Geo. 3. (U.K.) c. 1.	Use of fine Flour.
c. 2.	Use of fine Flour.
c. 4.	Exchequer Bills.
c. 5.	Annuity to Sir Sidney Smith.
c. 11.	Mutiny.
c. 13.	Bounties on Flour imported.
c. 14.	Suppression of Rebellion (Ireland).
c. 15.	Suspension of Habeas Corpus (Ireland).
c. 16.	Malting, &c. from Grain in Ireland.
c. 17.	Duties Continuance.
c. 18.	Marine Mutiny.
c. 19.	Merchant Seamen.
c. 20.	Commons Improvement.
c. 22.	Indentures of Apprenticeship.
c. 23. s. 9.	Poor Rate.
c. 25. in pt.	Master of the Rolls (Ireland).
c. 26.	Habeas Corpus Suspension.
c. 27.	Lottery.
c. 30.	Seditious Meetings and Assemblies.
c. 31.	Steeping of Barley.
c. 32. in pt.	Civil List (Ireland).
c. 34.	Bounties on Importation into Ireland of Wheat, &c.
c. 35.	Quartering of Soldiers.
c. 36.	Exportation, &c. (Ireland).
c. 37.	Importation, &c. (Ireland).
c. 39.	Forgery.
c. 41.	Importation (Ireland).
c. 43.	Militia Pay, &c.
c. 44.	Drawbacks on Sugar exported, &c.
c. 45.	Continuance of certain Acts.
c. 46.	Russian Bills of Exchange, &c.
c. 47.	Distillation, &c.
c. 49.	Indemnity (Ireland).
c. 51.	Portugal Wine warehousing, &c.
c. 52. in pt.	Members of House of Commons.
c. 54.	Isle of Man Trade.
c. 55.	Militia.
c. 56.	Militia.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
41 Geo. 3. c. 58.	Stamps (Ireland).
c. 59.	Annuity to Lady Abercromby, &c.
c. 61.	Suppression of Rebellion (Ireland).
c. 63. in pt.	Members of House of Commons.
c. 64.	Relief of Debtors.
c. 66.	Indemnity in apprehension of Offenders.
c. 67.	Militia (Scotland).
c. 70.	Insolvent Debtors.
c. 73.	Grants to the Dublin Society, &c.
c. 77.	Importation of Fish from Newfoundland, &c.
c. 79. in pt.	Public Notaries.
c. 81., 82., 83.	Loans or Exchequer Bills.
c. 84.	Consolidated Fund (Appropriation).
c. 85. in pt.	Fines and Forfeitures.
c. 90. ss. 7, 8.	Crown Debts, &c.
c. 92.	Bounties on Flour, &c. (Ireland).
c. 93.	Importation of Hops into Ireland.
c. 94.	Customs: Rum, &c.
c. 95.	Trade with America.
c. 100.	Tax on Salaries, &c. (Ireland).
c. 101.	Controverted Elections.
c. 102.	Pluralities of Livings.
c. 103. in pt.	Isle of Malta.
c. 104.	Indemnity for Suppression of Rebellion, &c. in Ireland.
c. 106.	Imprisonment for Debts contracted abroad.
42 Geo. 3. c. 1.	Duties upon Malt, &c.
c. 2.	Duty on Pensions, &c.
c. 4.	Sale of Bread.
c. 5.	Distillation of Spirits, &c.
c. 6.	Lottery.
c. 7.	Importation of Naval Stores from Hamburgh.
c. 9.	Loans or Exchequer Bills.
c. 10.	Prize.
c. 11.	Correspondence with Foreign Countries.
c. 13.	Importation into Ireland of Corn, &c.
c. 15.	Distillation from Wheat in Ireland.
c. 16.	Importation, &c.
c. 17., 21.	Loans or Exchequer Bills.
c. 25., 26.	Mutiny.
c. 27.	Countervailing Duties.
c. 28.	Transportation.
c. 29.	East Indies (Fort Marlborough).
c. 30.	Pluralities of Livings.
c. 31.	Continuance of certain Duties.
c. 35.	Trade in Grain, &c.
c. 36.	Collection of the Revenue (Ireland).
c. 39.	Loan (Grenada and Saint Vincent).
c. 40.	Restrictions on Cash Payments.
c. 41.	Exchequer Bills.
c. 42.	Duties on Income, &c.
c. 45.	Restriction on Cash Payments (Ireland).
c. 46. s. 8.	Parish Apprentices.
c. 48.	Annuities to the Dukes of Sussex and Cambridge.
c. 49.	Militia Pay.
c. 50., 51.	Mutiny.
c. 52.	Post Horse Duties.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
42 Geo. 3. c. 53.	Indemnity.
c. 54.	Lottery.
c. 55.	Militia Allowances.
c. 56. in pt.	Stamp Duties on Medicines.
c. 57.	National Debt.
c. 59.	Bounties on Sugar exported, &c.
c. 60.	Drawback on Exportation of Sugar.
c. 62.	Elections for Members of Parliament.
c. 64., 65.	Militia.
c. 68. in pt.	Yeomanry (Ireland).
c. 69.	Soldiers Trades, &c.
c. 72. in pt.	Militia: Miners of Cornwall and Devon.
c. 73. in pt.	Factories.
c. 74.	Poor: Workhouses, &c.
c. 75.	Linen Manufacture (Ireland).
c. 76.	Metropolitan Police Magistrates.
c. 80.	Goods in Neutral Ships.
c. 83.	Duties, &c. on Coffee, &c.
c. 86.	Pluralities of Livings, &c.
c. 88.	Mutiny.
c. 90. in pt.	Militia.
c. 91. in pt.	Militia (Scotland).
c. 92.	Aliens.
c. 96.	Excise.
c. 98.	Trade, &c. of the Isle of Man.
c. 100.	Duties on Horses, &c.
c. 102.	Tortola Trade.
c. 104.	Lottery Offices (Ireland).
c. 105.	Lord Chancellor of Ireland.
c. 106.	Controverted Elections (Ireland).
c. 108.	Quartering of Soldiers.
c. 110., 111.	Loans or Exchequer Bills.
c. 113.	Annuity to Lord Hutchinson.
c. 114.	Southern Whale Fishery.
c. 115.	Marine Mutiny.
c. 116. in pt.	Land Tax, &c.
c. 118.	Militia (Ireland).
c. 119. s. 6. in pt.	Lotteries.
c. 120.	Consolidated Fund (Appropriation).
43 Geo. 3. c. 1.	Negotiation of Notes and Bills.
c. 3.	Duties upon Malt, &c.
c. 4.	Duty on Pensions, &c.
c. 5.	Loans or Exchequer Bills.
c. 8.	Baking Trade, Dublin.
c. 9.	Militia Pay (Ireland).
c. 11.	Drawbacks and Bounties on Sugar.
c. 12.	Trade, &c. with Malta.
c. 13.	Importation into Ireland of Corn, &c.
c. 14.	Trade, &c. between Great Britain and Ireland.
c. 16.	Inquiry into certain Frauds and Abuses.
c. 17.	Drawbacks and Bounties on Sugar.
c. 20.	Mutiny.
c. 24.	Duties in Ireland Continuance.
c. 26.	Annuity to the Prince of Wales, &c.
c. 27.	Marine Mutiny.
c. 32.	Greenland Whale Fishery.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
43 Geo. 3. c. 34.	Actions against certain Spiritual Persons. .
c. 36.	Loans or Exchequer Bills.
c. 37.	Annuity to Admiral Saumarez.
c. 38.	Militia of Great Britain.
c. 39.	Distribution of Money paid under Treaty with America.
c. 40.	Loans to Grenada and Saint Vincent.
c. 41.	Quartering of Soldiers.
c. 42.	Duties on Sugar, &c.
c. 43.	Collection of the Revenue in Ireland.
c. 44.	Restriction on Cash Payments by Bank of Ireland.
c. 45. s. 2.	Nottingham Election.
c. 46. in pt.	Frivolous and vexatious Arrests, &c.
c. 47. in pt.	Relief for Families of Militia Men.
c. 49.	Exportation of Silver Bullion.
c. 50. in pt.	Militia of Great Britain.
c. 51. s. 3.	Land Tax.
c. 52.	Indemnity for Prevention of Exportation of Gunpowder, &c.
c. 53.	Appearance of Defendants in personal Actions, &c.
c. 54. s. 1.	Parochial Schoolmasters (Scotland).
c. 55.	Defence of the Realm.
c. 57.	Trade of United Kingdom during Hostilities.
c. 60.	Exchequer Bills.
c. 62.	Transfer to Royal Navy of Seamen serving in the Militia.
c. 63.	East India Company.
c. 64.	Supply of Seamen during Hostilities.
c. 70.	Customs Duties, &c.
c. 71., 72.	Militia.
c. 73. in pt.	Stamp Duties.
c. 76.	Transfer to Royal Navy of Seamen serving in the Militia.
c. 77.	Indemnity (Ireland).
c. 78.	Trade between Great Britain and Ireland.
c. 80.	Roads and Bridges in Scotland.
c. 81.	Duties of Excise.
c. 82., 83., 85.	Defence of the Kingdom.
c. 86. in pt.	Combinations of Workmen (Ireland).
c. 88.	Militia Pay (Ireland).
c. 89. in pt.	Militia (Scotland).
c. 91.	Lotteries.
c. 93.	Loans or Exchequer Bills.
c. 94., 95.	Militia.
c. 97.	Collection of Customs and Excise (Ireland).
c. 99. in pt.	Duties under Management of Commissioners for the Affairs of Taxes.
c. 102. in pt.	Canals (Scotland).
c. 103.	Warehousing, &c. of Portugal Wine.
c. 104.	Loan to Grenada and Saint Vincent.
c. 105.	Exportation of Corn, Grain, &c.
c. 110.	Poor: Workhouses, &c. .
c. 114.	Treasury Bills (Ireland).
c. 115.	Excise Duties.
c. 116.	Habeas Corpus Suspension (Ireland).
c. 117.	Suppression of Rebellion (Ireland).
c. 121.	Yeomanry and Volunteer Cavalry.
c. 122.	Income Tax.
c. 123., 125.	Defence of the Realm.
c. 129. in pt.	Duties on Coffee.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
43 Geo. 3. c. 133.	Tortola Trade, &c.
c. 135.	Assignments under Awards of American Treaty Commissioners.
c. 136.	Actions, &c. relating to the Woollen Manufactures.
c. 137.	East India Company.
c. 138.	Canada: Hudson's Bay.
c. 144.	Poor Returns.
c. 145.	Duties on Malt (Scotland).
c. 146., 147., 148.	Loans or Exchequer Bills.
c. 149.	Annuity on the House of Orange.
c. 150. in pt.	Duties under Management of the Commissioners for the Affairs of Taxes (Scotland).
c. 154.	Countervailing Duties.
c. 155.	Aliens.
c. 156.	Prisage and Butlerage of Wines.
c. 157.	Smuggling.
c. 161. in pt.	Duties under the Management of the Commissioners for the Affairs of Taxes.
c. 162.	Consolidated Fund (Appropriation).
44 Geo. 3. c. 1.	Restriction on Cash Payments.
c. 2.	Relief of certain Curates in England.
c. 3.	East India Company's Bonds.
c. 4.	Continuance of certain Laws.
c. 5.	Drawbacks and Bounties.
c. 8.	Habeas Corpus Suspension (Ireland).
c. 9.	Suppression of Rebellion (Ireland).
c. 10.	Drawbacks and Bounties on Exportation of Sugar from Ireland.
c. 11.	Distillation (Ireland).
c. 12.	Exportation and Importation.
c. 13. in pt.	Royal Navy.
c. 14.	Warehousing, &c. of Portugal Wine.
c. 15.	Loans or Exchequer Bills.
c. 16.	Duties upon Malt.
c. 17.	Duty on Pensions, &c.
c. 19., 20.	Mutiny.
c. 21.	Restriction on Cash Payments (Ireland).
c. 22.	Indemnity for permitting Exportation of Seed Corn to Portugal.
c. 23.	Greenland Whale Fishery.
c. 24.	Payment of Creditors (Scotland).
c. 26.	Customs, Excise, and Taxes in Ireland.
c. 27.	Countervailing Duties (Ireland).
c. 28.	Duty on Malt made in Ireland.
c. 29.	Importation of Hides, Skins, &c. in Foreign Ships.
c. 30.	Importation of Goods from America in Neutral Ships.
c. 31.	Loans or Exchequer Bills.
c. 32.	Militia (Ireland).
c. 35.	Importation, &c.
c. 36.	Bonding of British Plantation Sugar.
c. 37.	Income Tax.
c. 38.	Quartering of Soldiers.
c. 39., 40., 41.	Militia.
c. 42.	Linen Manufacture (Ireland).
c. 45., 46.	Loans or Exchequer Bills.
c. 50., 51.	Militia.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
44 Geo. 3. c. 53.	Customs Duties.
c. 54. in pt.	Yeomanry and Volunteer Corps.
c. 55.	Sale of Exciseable Liquors in Scotland.
c. 59.	Indemnity: Solicitors, Attornies, &c.
c. 64.	Prosecutions relating to the Woollen Manufacture.
c. 65.	Importation and Exportation of Malt.
c. 67.	Customs and Excise.
c. 70.	Exportation of Machinery for a Mint in Denmark.
c. 72.	East India Prize.
c. 73.	Exchequer Bills.
c. 75.	Foreign Enlistment.
c. 76.	Annuity to Viscountess Kilwarden.
c. 80.	Civil List.
c. 81.	Loans or Exchequer Bills.
c. 82.	Accountant-General's Office (Chancery).
c. 83.	Income Tax.
c. 85.	Importation of Oak Bark.
c. 89.	Distillation of Spirits in Ireland.
c. 90.	Peace Preservation (Ireland).
c. 92.	Apprehension of Offenders, &c.
c. 93.	Lotteries.
c. 97.	Treasury Bills (Ireland).
c. 98. in pt.	Stamp Duties.
c. 103.	Customs and Excise (Ireland).
c. 104.	Bonding of Spirits (Ireland).
c. 105.	Collection, &c. of the Revenue in Ireland.
c. 106.	Inquiry into Public Offices (Ireland).
c. 108.	Relief of Insolvent Debtors.
c. 110.	Consolidated Fund (Appropriation).
45 Geo. 3. c. 1.	Duties upon Malt, &c.
c. 2.	Duty on Pensions, &c.
c. 3.	Relief of Insolvent Debtors.
c. 4.	Habeas Corpus Suspension (Ireland).
c. 5.	Commissioners of Taxes.
c. 7.	Loans or Exchequer Bills.
c. 10.	Quarantine.
c. 13.	Duties on Horses and Carriages.
c. 15.	Income Tax.
c. 16., 17.	Mutiny.
c. 18.	Customs.
c. 19.	Excise and Taxes (Ireland).
c. 22.	Malt Duty (Ireland).
c. 23.	Drawbacks and Bounties on Sugar (Ireland).
c. 24.	Drawbacks and Bounties.
c. 25.	Negotiation of Notes and Bills.
c. 26.	Warehousing of Spirits in Ireland for Exportation.
c. 27.	Exchequer Bills.
c. 28. in pt.	Legacy Duties.
c. 31.	Militia (Great Britain).
c. 32.	Foreign Ships: Prize.
c. 33.	Exportation and Importation.
c. 34.	Importation in Neutral Ships during the War.
c. 35.	Treaty of Commerce, &c. with America.
c. 36.	East Indies.
c. 37.	Quartering of Soldiers.
c. 38.	Militia (Ireland).

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
45 Geo. 3. c. 41.	Negotiation of Notes and Inland Bills (Ireland).
c. 43.	Repair of Post Roads in Ireland, &c.
c. 46.	Inquiry into certain Naval Departments.
c. 47.	Inquiry into certain Military Departments.
c. 48.	Land Tax.
c. 56.	Post Horse Duties.
c. 58.	Office of Paymaster General.
c. 59.	Election of Members of Parliament (Ireland).
c. 60–63.	Militia.
c. 64.	Bounties for taking Fish, &c.
c. 65.	Inquiry into Public Offices (Ireland).
c. 66.	Preservation of Timber Trees, &c.
c. 68.	Making perpetual and amending several Laws.
c. 69.	Estates held or occupied for the Barrack Service.
c. 70.	Inquiry into Public Expenditure.
c. 71. in pt.	Taxes.
c. 74.	Lotteries.
c. 76.	Civil List (Ireland).
c. 77. ss. 3., 4.	Land Tax.
c. 78.	Indemnity for advance to Boyd, Benfield, and Co.
c. 79.	Inquiry into Losses during the Rebellion in Ireland.
c. 80.	Continuance of several Laws.
c. 82.	Duty on Woollen Goods exported.
c. 83.	Prosecutions under Acts relating to the Woollen Manufacture.
c. 85.	Crinan Canal.
c. 90.	Militia.
c. 92. in pt.	Apprehension of Offenders, &c.
c. 94.	Duty of Excise on Hops.
c. 95. ss. 2., 3.	Taxes (Scotland).
c. 97.	Indemnity: Quarantine.
c. 101.	Purchasing Advowsons by Colleges.
c. 104.	Duties on Spirituous Liquors (Ireland), &c.
c. 107.	Duty on Spanish Red Wine imported.
c. 108.	Customs and Excise (Ireland).
c. 110.	Income Tax.
c. 111. s. 2.	Public Infirmaries and Hospitals (Ireland).
c. 113.	Harbour of Howth.
c. 114.	Harbour and Docks of Leith.
c. 117.	Proceedings against Luke Fox, Esquire.
c. 118–120.	Loans or Exchequer Bills.
c. 124.	Privilege of Parliament.
c. 125., 126.	Proceedings against Viscount Melville.
c. 127. in pt.	Townleian Collection of Sculpture in the Museum.
c. 129.	Consolidated Fund (Appropriation).
46 Geo. 3. c. 2.	Duties upon Malt.
c. 3.	Duty on Pensions, &c.
c. 4.	Annuity to Viscountess Nelson.
c. 5.	Annuity to Admiral Strachan.
c. 6.	Loans or Exchequer Bills.
c. 8.	Marine Mutiny.
c. 10.	Drawbacks and Bounties on Exportation of Sugar.
c. 12.	Duties and Drawbacks (Ireland).
c. 13.	Annuities to Lord Collingwood and others.
c. 14.	Drawbacks and Bounties on Exportation of Sugar.
c. 15.	Mutiny.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
46 Geo. 3. c. 16.	Treaty of Commerce with America.
c. 17.	Exportation of Wool from British America.
c. 18.	Prosecutions relating to the Woollen Manufacture.
c. 19–22.	Militia.
c. 23.	Enlistment of Foreigners.
c. 24.	Payment of Creditors (Scotland).
c. 25., 26.	Loans or Exchequer Bills.
c. 27.	Bonding of Spirits.
c. 28.	Transportation of Offenders.
c. 29.	Reviving and continuing certain Laws.
c. 30.	Cape of Good Hope Trade.
c. 31.	Militia (Ireland).
c. 32.	Treasury Bills (Ireland).
c. 36.	Duty on Dwelling Houses in Ireland.
c. 39.	Excise Duties on Tobacco and Snuff.
c. 40.	Annuity to Vice-Admiral Duckworth.
c. 41.	Loans or Exchequer Bills.
c. 42.	Duties on certain Goods.
c. 46.	Treasury Bills (Ireland).
c. 48.	Mutiny.
c. 49.	Salaries of Judges (Scotland).
c. 51.	Defence of the Realm.
c. 53.	Indemnity: Importation, &c.
c. 56.	Duties on Spirits (Ireland).
c. 58.	Customs, Excise, and Taxes (Ireland).
c. 62.	Duties and Drawbacks (Ireland).
c. 63.	Defence of the Realm.
c. 65.	Income Tax.
c. 66.	Mutiny.
c. 67.	Duties on Malt and Spirits (Ireland).
c. 76.	Receiver General of Stamp Duties.
c. 77.	Discovery of Longitude at Sea.
c. 80.	Expenditure of Public Money in the West Indies.
c. 81.	Manufacture of Thread Lace in Great Britain.
c. 85.	East India Company.
c. 90. in pt.	Defence of the Realm.
c. 91.	Militia.
c. 93.	Exchequer Bills.
c. 94.	Duties of Prisage and Butlerage in Ireland.
c. 95.	Relief of the Poor, &c. (Ireland).
c. 96.	Presentments for Public Roads, &c. (Ireland).
c. 98.	Quarantine.
c. 103.	Importation of Fish from Newfoundland, &c.
c. 106. in pt.	Excise, &c. Duties (Ireland).
c. 107.	Land Tax, &c.
c. 108.	Insolvent Debtors Relief.
c. 111.	Neutral Ships.
c. 112.	Excise Penalties and Perjury.
c. 113.	Importation of French Wines from Ireland into Great Britain.
c. 117.	Importation of Masts or Timber from British North America.
c. 119.	African Slave Trade.
c. 120.	Continuance of Acts for granting certain Rates and Duties, &c.
c. 121.	Importation of Gunpowder, Arms, &c. from Ireland.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 63.	Subject-matter.
46 Geo. 3. c. 122.	Education and Schools in Ireland.
c. 125.	Yeomanry and Volunteer Corps.
c. 126.	Quartering of Soldiers.
c. 133.	Land Tax.
c. 134.	Conveyance of Letters (Ireland).
c. 138.	Duties of Excise.
c. 139.	Malt Duties.
c. 144.	Defence of the Realm: London Militia.
c. 145.	Annuities to certain Branches of the Royal Family.
c. 147.	Annuity to Lord Rodney.
c. 148. in pt.	Lotteries.
c. 149.	Consolidated Fund (Appropriation).
c. 152.	Actions for buying Oak Bark, &c.
c. 154.	Court of Exchequer (Scotland).
c. 155.	Canals, Harbours, &c. (Scotland).
c. 156.	British Fisheries, &c.

Repeals effected by the Statute Law Revision Act (35 & 36 *Vict. c.* 97).

Act repealed by 35 & 36 Vict. c. 97.	Subject-matter.
47 Geo. 3. Sess. 1. c. 2.	Loans or Exchequer Bills.
c. 3.	Duties upon Malt.
c. 4.	Duty on Pensions, Offices, &c.
c. 6.	Militia (Ireland).
c. 8.	Importation of Arms, Gunpowder, &c. (Ireland).
c. 10.	Treasury Bills (Ireland).
c. 11.	Cape of Good Hope Trade.
c. 13.	Accounts, &c. of Barrack Master General.
c. 14.	Controverted Elections (Ireland).
c. 15.	Army and Navy: Mutiny, &c.
c. 18.	Duties of Excise and Taxes in Ireland.
c. 20.	Drawbacks on Spirits.
c. 23.	South Sea Company.
c. 24.	Importation of Fish from Newfoundland, &c.
c. 27.	Excise Duty on Brandy.
c. 29.	Bounties on Sugar.
c. 30.	Exportation: American Ships.
c. 31.	Importation of unmanufactured Tobacco into Ireland
c. 32., 33.	Mutiny.
c. 34.	Bringing of Coals, &c. to London and Westminster.
c. 37.	Depredations on the River Thames.
c. 39.	Annuities to certain Branches of the Royal Family.
c. 41.	Inquiry into Fees, &c. in Public Offices (Ireland).
c. 42.	Lighting, cleansing, &c. of Towns in Ireland.
c. 44.	Relief of the Poor, &c. (Ireland).

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 97.	Subject-matter.
47 Geo. 3. Sess. 1. c. 45.	Collieries of Ireland.
c. 53.	Regrating and ingrossing of Oaken Bark.
c. 54.	Quartering of Soldiers.
47 Geo. 3. Sess. 2. c. 1.	Drawbacks and Bounties on Goods, &c. imported into and exported from Ireland.
c. 2.	Treaty of Commerce, &c. with America.
c. 3.	Indemnity with respect to Commerce with America.
c. 4.	Annuity to Major-General Stuart.
c. 6., 7.	Loans or Exchequer Bills.
c. 9.	Lotteries.
c. 15. in part.	Duty on Gold and Silver Plate (Ireland).
c. 18.	Countervailing Duties on British Refined Sugar imported into Ireland.
c. 21.	Annuities (Ireland).
c. 22.	Fisheries (Ireland).
c. 24.	Crown Lands, &c.
c. 25. s. 1. in part.	Army: Compassionate List, &c.
c. 26.	Militia.
c. 28.	Exchequer Bills.
c. 29., 31., 32.	Militia.
c. 33.	Inquiry into Military Departments.
c. 37.	Excise Duty on Malt.
c. 38.	Trade between British America and the United States.
c. 40.	Court of Chancery.
c. 43.	Prosecutions, &c. relating to the Woollen Manufacture.
c. 44.	Sierra Leone Company.
c. 46.	Windsor Forest.
c. 47.	Duties on Calicoes.
c. 48.	Customs and Excise (Ireland).
c. 49.	Drawback on Linens.
c. 50. in part.	Public Infirmaries or Hospitals in Ireland.
c. 52.	Duty on Coffee and Cocoa Nuts Warehoused.
c. 55., 57.	Militia.
c. 62.	Drawbacks on Spirits.
c. 68. in part.	East Indies.
c. 72.	Treasury Bills (Ireland).
c. 73.	Loans or Exchequer Bills.
c. 76.	Consolidated Fund (Appropriation).
48 Geo. 3. c. 5.	Avoidance of Benefices, &c.
c. 6.	Treaty with the United States.
c. 7.	Exchequer Bills.
c. 10.	Duties on Spirits (Scotland).
c. 13.	Annuity to Viscount Lake.
c. 14., 15.	Mutiny.
c. 16., 17.	Bounties and Drawbacks, &c.
c. 18.	Duties on Cinnamon, &c.
c. 19.	Importation of Timber, &c. for Naval Purposes.
c. 20.	Importation of Fish from Newfoundland, &c.
c. 21.	Distribution of the Money paid by the United States of America.
c. 23.	Importation of Hemp.
c. 24.	Importation of Hides, &c. in Foreign Ships.
c. 25.	Payment of Creditors (Scotland).
c. 26.	Duties of Customs on certain Goods, &c.
c. 27.	Importation into Ireland of Corn, &c.
c. 28.	Exportation from Ireland of certain Goods, &c.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 97.	Subject-matter.
48 Geo. 3. c. 29., 33–35.	Exportation of Jesuits Bark and Cotton Wool.
c. 36.	Duties of Excise upon Malt.
c. 37.	Validity of certain Orders in Council.
c. 39.	Quartering of Soldiers.
c. 43.	Drawbacks on Spirits.
c. 45., 46.	Militia Pay.
c. 49.	Paymaster General of the Forces.
c. 50.	Grants of Offices in Reversion.
c. 51., 52.	Militia in Great Britain, while disembodied.
c. 53., 54.	Exchequer Bills.
c. 55. in part.	Assessed Taxes.
c. 58. in part.	Proceeding on Indictments.
c. 59.	Annuity to the Duchess of Brunswick Wolfenbuttel.
c. 60.	Tanners, Curriers, Shoemakers, and Leather Cutters
c. 61.	Inquiry into Military Departments.
c. 67.	Duty on Copper imported.
c. 69.	Importation of Corn, &c.
c. 71.	Customs Duties on certain Goods.
c. 75. in part.	Interment in Churchyards in cases of Wreck, &c.
c. 79.	Malt Duties and Trade (Ireland).
c. 80.	Duty on British Plantation Coffee imported, &c.
c. 85.	Trade with the United States.
c. 88. ss. 1., 11.	Promissory Notes and Bills of Exchange.
c. 89.	Accounts of Expenditure in the Barrack Office.
c. 92.	Charges of Management of Stock redeemed.
c. 94.	Shooting of Hares (Scotland).
c. 97.	Exchequer Bills.
c. 98.	Post Horse Duties.
c. 102.	Land Tax.
c. 103. in part.	Bank of Ireland.
c. 105.	Cape of Good Hope Trade.
c. 108.	Compensation of certain Patentee Officers (Ireland).
c. 110. in part.	British White Herring Fishery.
c. 112.	Treasury Bills (Ireland).
c. 114.	Exchequer Bills.
c. 115.	Countervailing Duties on Spirits imported into Ireland from Scotland, &c.
c. 118.	Distillation of Spirits.
c. 126.	Removal of Goods warehoused in the Port of London.
c. 128. s. 1.	Paymaster General's Accounts.
c. 131.	Actions relating to the Woollen Manufacture, &c.
c. 133.	First Meetings of Commissioners for executing certain Acts.
c. 134.	Marking of Hops.
c. 136.	Militia of the Tower Hamlets.
c. 138. in part.	Commissioners of Tiends, &c.
c. 139.	Lotteries.
c. 140. in part.	Office of Justice of the Peace within the District of Dublin Metropolis.
c. 141. in part.	Assessed Taxes and Income Tax.
c. 142. in part.	Grant of Life Annuities by Commissioners of the National Debt.
c. 143.	Licenses for selling Exciseable Liquors.
c. 145. in part.	Annuities to the Judges of certain Courts in Scotland.
c. 146.	Court of Session (Scotland), &c.
c. 147.	Sale of the Danish Prize Ship Constantia Maria.
c. 148.	Consolidated Fund (Appropriation).

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 97.	Subject-matter.
48 Geo. 3. c. 149. ss. 43., 46., 47.	Stamp Duties on Deeds, &c.
c. 151. in part.	Administration of Justice in Scotland, &c.
c. 152.	Duties on Worts made from Sugar.
49 Geo. 3. c. 1.	Duties on Malt, Sugar, Tobacco, &c.
c. 2., 3.	Exchequer Bills.
c. 6.	Relief of Prisoners for Debt.
c. 7.	Distillation of Spirits.
c. 8.	Importation of Spirits.
c. 10., 11.	Bounties on Sugar.
c. 12.	Mutiny.
c. 14. s. 1.	Child Murder (Scotland).
c. 18.	Exportation of Wool from British America.
c. 19.	Marine Mutiny.
c. 20.	Silk Manufactures, &c.
c. 23.	Importation of Corn, &c.
c. 24.	Duty on Spent Wash re-distilled.
c. 25.	Importation of Tobacco into Great Britain.
c. 26.	Importation of Fish from North American Colonies.
c. 27. in part.	Courts of Judicature, Newfoundland, &c.
c. 28.	Attornies.
c. 29.	Flax Seed (Ireland).
c. 30.	Exportation of Sugar from Ireland, &c.
c. 31.	Exportation from Ireland of Corn, &c.
c. 32. in part.	Duty on Pensions.
c. 36. (except as to Dublin).	Public Infirmaries or Hospitals (Ireland).
c. 37.	Quartering of Soldiers.
c. 38.	Payment of Creditors in Scotland.
c. 42. in part.	Public Records of Scotland.
c. 43.	Average Price of Brown Sugar.
c. 46.	Customs.
c. 49.	Trade of Nova Scotia, &c.
c. 51.	Accounting for Public Money in Ireland.
c. 52.	Exchequer Bills.
c. 54.	Insolvent Debtors (Ireland).
c. 55.	Land Tax Commissioners.
c. 57.	Use of unmalted Corn, and Collection of Malt Duties in Ireland.
c. 60.	Importation.
c. 64.	Grant of Life Annuities.
c. 67.	Land Tax and Exemption of small Livings and Charitable Institutions.
c. 68.	Law of Bastardy.
c. 72.	Wide Streets and Coal Trade, Dublin.
c. 73.	Duties upon Spirits in Ireland, &c.
c. 74.	Duties, Drawbacks, and Bounties on Goods, &c. imported into and exported from Ireland.
c. 79.	Treasury Bills (Ireland).
c. 80.	Roasting of Coffee.
c. 84.	Irish Roads.
c. 85., 87–89.	Militia.
c. 90. in part.	Militia Men's Families in Scotland.
c. 92.	Charging of Loans.
c. 93.	Exchequer Bills.
c. 94.	Lotteries.

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 97.	Subject-matter.
49 Geo. 3. c. 99.	Duties on Spirits distilled in Ireland.
c. 101. in part.	Fees payable by Persons charged with Offences in Ireland.
c. 102.	Inquiry concerning Bogs in Ireland.
c. 104.	Life Annuities, &c. (Ireland).
c. 105.	Importation of Spirits into Ireland.
c. 109.	Woollen Manufacture.
c. 111.	Inquiry into certain Military Departments.
c. 114.	Exchequer Bills.
c. 115.	Relief of Insolvent Debtors.
c. 119.	Administration of Justice in Scotland.
c. 120. in part.	Militia (Ireland).
c. 124. in part.	Relief and Employment of the Poor.
c. 126. in part.	Sale and Brokerage of Offices.
c. 128.	Consolidated Fund (Appropriation).
50 Geo. 3. c. 1.	Duties on Malt, Sugar, &c.
c. 2., 3.	Exchequer Bills.
c. 5.	Distillation of Spirits, &c.
c. 7.	Mutiny.
c. 9.	Bounty on Raw Sugar exported.
c. 11.	Greenland Whale Fisheries.
c. 12., 13.	Importation and Exportation, &c.
c. 14.	Marine Mutiny.
c. 15.	Distillation, &c. (Ireland).
c. 16.	Importation of Corn, &c. into Ireland.
c. 17.	Drawbacks, &c. on Exportation of Sugar from Ireland.
c. 18.	Bounties on Sugar, &c.
c. 19.	Importation of Articles of Provision.
c. 21.	Exportation of certain Goods into and from the West Indies.
c. 28.	Quartering of Soldiers.
c. 29.	Irish Roads.
c. 31. in part.	Salaries of Judges, &c. in Scotland and Ireland.
c. 37.	Annuity to the Duke of Brunswick Wolfenbuttel.
c. 39.	Duty on the Export of Foreign Plain Linen.
c. 41. in part.	Duties on Hawkers and Pedlars.
c. 43.	Roads and Bridges (Scotland).
c. 50.	Relief and Employment of the Poor.
c. 52.	Poor Persons wearing Badges.
c. 53.	Exportation of Malt.
c. 57.	Flax and Cotton Manufacture.
c. 58. in part.	Land Tax.
c. 63.	Exportation of Machinery for a Mint in the Brazils.
c. 65.	Crown Lands, and Woods, Forests, &c.
c. 69., 70.	Exchequer Bills.
c. 78.	Suppressing Insurrection, &c. in Ireland.
c. 79.	Licenses for distilling Spirits from Sugar (Scotland).
c. 80.	Importation of Fish from North American Colonies, &c.
c. 81.	Accounting for Public Money in Ireland.
c. 83.	Woollen Manufacture.
c. 84. s. 24.	Parochial Stipends (Scotland).
c. 85. in part.	Regulating the taking of Securities in Offices, &c.
c. 87. in part.	East India Company: Mutiny.
c. 88.	Grants of Offices.
c. 89–92.	Militia.
c. 94.	Lotteries.
c. 96.	Quartering of Soldiers.
c. 97.	Exportation of certain Goods (Ireland).

Table B.—Acts of former Sessions repealed and amended—*continued.*

Act repealed by 35 & 36 Vict. c. 97.	Subject-matter.
50 Geo. 3. c. 98.	Treasury Bills (Ireland).
c. 100.	Fines imposed on Stills (Ireland).
c. 101.	Prisage and Butlerage of Wines in Ireland.
c. 102. in part.	Unlawful Oaths (Ireland), &c.
c. 105. in part.	Assessed Taxes and Income Tax.
c. 106.	Income Tax.
c. 107.	Army Clothing.
c. 111.	Civil List of Scotland.
c. 112. in part.	Court of Session (Scotland).
c. 113., 114.	Exchequer Bills.
c. 115.	Consolidated Fund (Appropriation).

THE

PUBLIC GENERAL STATUTES,

35 VICTORIA.

CHAPTER 1.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending the thirty-first day of March one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-two, and one thousand eight hundred and seventy-three. [25th March 1872.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 411,099*l.* 3*s.* 3*d.* out of the Consolidated Fund for the service of the years ending 31st March 1871 and 1872.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the years ending on the thirty-first day of March one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two, the sum of four hundred and eleven thousand and ninety-nine pounds three shillings and threepence.

Issue of 5,000,000*l.* out of the Consolidated Fund

2. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply

for the service of the year ending 31st March 1873.

towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-three, the sum of five million pounds.

Power to the Treasury to borrow on credit of said sums.

3. The Commissioners of the Treasury may borrow from time to time on the credit of the said sums, any sum or sums not exceeding in the whole the sum of five million four hundred and eleven thousand and ninety-nine pounds three shillings and threepence, and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

CHAPTER 2.

An Act to extend and explain the Law relating to Loans for purposes connected with the Relief of the Poor. [25th March 1872.]

WHEREAS it is expedient that the provisions of the law relating to the borrowing of money for purposes connected with the relief of the poor should be extended and explained:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

The limit of expenditure for building and furnishing district schools in the metropolis extended.

1. That the limit imposed by the sixteenth clause of the Poor Law Amendment Act, 1851, upon the amount to be raised for the purpose of building, fitting up, and furnishing schools for school districts formed in the metropolis under the Poor Law Amendment Act, 1844, or any Act extending or explaining the same, shall be increased from one third to two thirds of the annual average of the expenditure therein referred to.

Sect. 14. of 30 & 31 Vict. c. 106. declared to apply to the metropolis.

2. The fourteenth clause of "The Poor Law Amendment Act, 1867," which increases the limit of the amount to be raised for the purpose of building workhouses, shall be deemed to have applied and to apply to the metropolis, anything in the Metropolitan Poor Act, 1867, to the contrary notwithstanding.

3. It is hereby declared and enacted that the fifth section of "The Union Loans Act, 1869," does not prevent the guardians of any union or parish from borrowing money to be repaid within a less period than thirty years. Sect. 5. of 32 & 33 Vict. c. 45. explained.

4. Whereas persons have advanced money or incurred personal liabilities on behalf of the guardians of their union or parish at the request of such guardians, and for the benefit of the union or parish, when the borrowing powers of such guardians have been exhausted, and the provisions of the existing law do not enable such persons to be reimbursed their advances, or to be released from their liability, and it is expedient to provide a remedy for them: Be it therefore enacted, that where before the passing of this Act any guardian or other person shall at the request of the board of guardians of a union or parish have advanced money or incurred any such liability as aforesaid, for the benefit of the union or parish, to enable the workhouse or other works of such union or parish to be completed, when the borrowing powers of such board of guardians were exhausted, the Local Government Board may, by their order, on the application of the board of guardians, empower such board to reimburse such guardian or person the amount so advanced, or release him from his liability by the payment of the requisite amount to him or to the person or persons to whom he may be liable, and for this purpose to borrow money, if the said Local Government Board shall think proper, to be repaid in the manner required in respect of loans advanced to guardians; and, in the case of a union, to charge the sums, whether paid at once or borrowed, to the whole of the union, or to such parish or parishes contained therein only as the said board shall direct. Persons who have made advances to unions and parishes under certain circumstances beyond the borrowing powers may be reimbursed by leave of the Local Government Board.

5. This Act may be cited as "The Poor Law Loans Act, 1872." Short title.

CHAPTER 3.

An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters. [23d April 1872.]

WHEREAS the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law: And whereas it is adjudged necessary by Her Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom, and the defence of the possessions of Her Majesty's Crown, and that the whole number of such forces should consist of one Number of men to consist of

133,649, including those employed at depôts of regiments serving in India, but exclusive of those actually serving in India.

hundred and thirty-three thousand six hundred and forty-nine men, including an average number of six thousand one hundred and eighty-five, all ranks, to be employed with the depôts in the United Kingdom of Great Britain and Ireland of regiments serving in Her Majesty's Indian possessions, but exclusive of the numbers actually serving within Her Majesty's Indian possessions: And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by judgment of his peers, and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces in their duty, that an exact discipline be observed, and that soldiers who shall mutiny or stir up sedition, or shall desert Her Majesty's service, or be guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Articles of War made by Her Majesty to be judicially taken notice of, and copies printed by the Queen's printer to be transmitted to judges, &c.

1. It shall be lawful for Her Majesty to make Articles of War for the better government of Her Majesty's army, which articles shall be judicially taken notice of by all judges and in all courts whatsoever; and copies of the same, printed by the Queen's printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary of State for the War Department to the judges of Her Majesty's superior courts at Westminster, Dublin, and Edinburgh respectively, and also to the governors of Her Majesty's dominions abroad: Provided that no person within the United Kingdom of Great Britain and Ireland, or within the British Isles, shall by such Articles of War be subject to suffer any punishment extending to life or limb, or to be kept in penal servitude, except for crimes which are by this Act expressly made liable to such punishments as aforesaid, or shall be subject, with reference to any crimes made punishable by this Act, to be punished in any manner which shall not accord with the provisions of this Act: Provided also, that nothing in this Act contained shall in any manner prejudice or affect any Articles of War or other matters made, enacted, or in force, or which may hereafter be made, enacted, or in force, under the authority of the Government of India, respecting officers or soldiers or followers in Her Majesty's Indian army, being natives of India; and on the trial of all offences committed by any such native officer or soldier or follower, reference shall be had to the Articles of

War framed by the Government of India for such native officers, soldiers, or followers and to the established usages of the service.

Persons subject to this Act.

2. All the provisions of this Act shall apply to all persons who are or shall be commissioned or in pay as an officer, or who are or shall be listed or in pay as a non-commissioned officer or soldier, and to all warrant officers, and to all persons employed on the recruiting service receiving pay, and all pensioners receiving allowances in respect of such service, and to persons who are or shall be hired to be employed in the royal artillery, royal engineers, and to master gunners, and to conductors of stores, and to the corps of royal military surveyors and draftsmen, and to all officers and persons who are or shall be serving in the Control Department, and to officers and soldiers serving in the army hospital corps, or the army service corps, and to persons in the War Department, who are or shall be serving with any part of Her Majesty's army at home or abroad, under the command of any commissioned officer, and (subject to and in accordance with the provisions of an Act passed in the sixth and seventh years of the reign of Her present Majesty, chapter ninety-five,) to any out-pensioners of the Royal Hospital, Chelsea, who may be called out on duty in aid of the civil power, or for muster or inspection, or who having volunteered their services for that purpose shall be kept on duty in any fort, town, or garrison, and to all civil officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's establishments in the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the islands thereto belonging, or at foreign stations; and all the provisions of this Act shall apply to all persons belonging to Her Majesty's Indian forces who are or shall be commissioned or in pay as officers, or who shall be listed or in pay as non-commissioned officers or soldiers, or who are or shall be serving or hired to be employed in the artillery or any of the trains of artillery, or as master gunners or gunners, or as conductors of stores, or who are or shall be serving in the department of engineers, or in the corps of sappers and miners, or pioneers, or as military surveyors or draftsmen, or in the ordnance or public works or commissariat departments, and to all storekeepers and other civil officers employed under the ordnance, and to all veterinary surgeons, medical storekeepers, apothecaries, hospital stewards, and others serving in the medical department of the said forces, and to all licensed sutlers, and all followers in or of any of the said forces; provided that nothing in this Act contained shall extend to affect any security which has been or shall be given by any officers, or their sureties, for the due performance of their respective offices, but that all such securities shall be and remain in full force and effect.

Provisions of this Act to extend to Jersey, Guernsey, &c.

3. This Act shall extend to the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the islands thereto belonging, as to the provisions herein contained for enlisting of recruits, whether minors or of full age, and swearing and attesting such recruits, and for mustering and paying, and as to the provisions for the trial and punishment of officers and soldiers who shall be charged with mutiny and desertion, or any other of the offences which are by this Act declared to be punishable by the sentence of a court-martial, and also as to the provisions which relate to the punishment of persons who shall conceal deserters, or shall knowingly buy, exchange, or otherwise receive any arms, medals for good conduct or for distinguished or other service, clothes, military furniture, or regimental necessaries from any soldier or deserter, or who shall cause the colour of any such clothes to be changed, or who shall aid in the escape of a prisoner from a military prison, or who shall introduce forbidden articles into such prison, or shall carry out any such articles, or who shall assault any officer of such prison, and also as to the provisions for exempting soldiers from being taken out of Her Majesty's service for not supporting or for leaving chargeable to any parish any wife or child or children, or on account of any breach of contract to serve or work for any employer, or on account of any debts under thirty pounds in the said islands.

Colonial and foreign troops in Her Majesty's pay to be subject to provisions of this Act.

4. All officers and soldiers of any troops mustered and in pay which shall be raised and serving in any of Her Majesty's dominions abroad, or in places in possession of or occupied by Her Majesty's subjects under the command of any officer having any commission immediately from Her Majesty, shall be subject to the provisions of this Act and of Her Majesty's Articles of War in like manner as Her Majesty's other forces are; and if such officers and soldiers, having been made prisoners, be sent into Great Britain or Ireland, although not allowed to serve therein, all the provisions of this Act in regard to billeting soldiers shall apply to such officers and soldiers.

Provision as to the militia or yeomanry or volunteer corps or reserve forces.

5. Nothing in this Act contained shall be construed to extend to any militia forces or yeomanry or volunteer corps in Great Britain or Ireland, or to the reserve force provided for by "The Reserve Force Act, 1867," or to the reserve force provided for by "The Militia Reserve Act, 1867," excepting only as herein-after enacted, or where by any Act for regulating any of the said forces or corps the provisions contained in any Act for punishing mutiny and desertion are or shall be specifically made applicable to such forces or corps.

Power to constitute courts-martial.

6. For the purpose of bringing offenders against this Act and against the Articles of War to justice, Her Majesty may from time to time, in like manner as has been heretofore used, grant commissions under the Royal Sign Manual for the

holding of courts-martial within the United Kingdom of Great Britain and Ireland, and may grant commissions or warrants under the said Royal Sign Manual to the chief governor or governors of Ireland, the commander of the forces, or the person or persons commanding in chief, or commanding for the time being, any body of troops belonging to Her Majesty's army, as well within the United Kingdom of Great Britain and Ireland and the British Isles as in any of Her Majesty's garrisons and dominions or elsewhere beyond seas, for convening courts-martial, and for authorising any officer under their respective commands to convene courts-martial, as occasion may require, for the trial of offences committed by any of the forces under the command of any such last-mentioned officer, whether the same shall have been committed before or after such officer shall have taken upon him such command: Provided that the officer so authorised be not below the degree of a field officer, except in detached situations beyond seas where a field officer is not in command, in which case a captain may be authorised to convene district or garrison courts-martial: Every officer so authorised to convene courts-martial may confirm the sentence of any court-martial convened by him according to the terms of his warrant.

Place where offenders may be tried.

7. Any person subject to this Act who shall, in any part of Her Majesty's dominions or elsewhere, commit any of the offences for which he may be liable to be tried by court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any part of Her Majesty's dominions or in any other place whereto he may have come or where he may be after the commission of the offence, as if the offence had been committed where such trial shall take place.

Powers of general courts-martial.

8. Every general court-martial convened within the United Kingdom or the British Isles shall consist of not less than nine commissioned officers, each of whom shall have held a commission for three years before the date of the assembly of the court. Every general court-martial shall have power to sentence any officer or soldier to suffer death, penal servitude, imprisonment, forfeiture of pay or pension, or any other punishment which shall accord with the usage of the service: No sentence of death by a court-martial shall pass unless two thirds at least of the officers present shall concur therein; no sentence of penal servitude shall be for a period of less than five years; and no sentence of imprisonment shall be for a period longer than two years.

Powers of district or garrison courts-martial.

9. Every district or garrison court-martial convened within the United Kingdom or the British Isles shall consist of not less than seven commissioned officers, and shall have the same power as a general court-martial to sentence any soldier to

such punishments as shall accord with the provisions of this Act: Provided always, that no such district or garrison court-martial shall have power to try a commissioned officer, or to pass any sentence of death or penal servitude.

Powers of regimental or detachment courts-martial.

10. A regimental or detachment court-martial shall consist of not less than five commissioned officers, unless it is found to be impracticable to assemble that number, in which case three shall be sufficient, and shall have power to sentence any soldier to corporal punishment, or to imprisonment, and to forfeiture of pay, in such manner as shall accord with the provisions of this Act.

Courts-martial on line of march or in troop ships, &c.

11. In cases of mutiny, and insubordination accompanied with personal violence, or other offences committed on the line of march, or on board any transport ship, convict ship, merchant vessel, or troop ship, not in commission, the offender may be tried by a regimental or detachment court-martial, and the sentence may be confirmed and carried into execution on the spot by the officer in the immediate command of the troops, provided that the sentence shall not exceed that which a regimental court-martial is competent to award.

Powers of detachment general courts-martial.

12. It shall be lawful for any officer commanding any detachment or portion of troops serving in any place beyond seas where it may be found impracticable to assemble a general court-martial, upon complaint made to him of any offence committed against the property or person of any inhabitant of or resident in any country in which such troops are so serving by any person serving with or belonging to Her Majesty's armies, being under the immediate command of any such officer, to convene a detachment general court-martial, which shall consist of not less than three commissioned officers, for the purpose of trying any such person; and every such court-martial shall have the same powers in regard to sentence upon offenders as are granted by this Act to general courts-martial: Provided always, that no sentence of any such court-martial shall be executed until the general commanding the army of which such detachment or portion forms part shall have approved and confirmed the same.

As to swearing and summoning of witnesses.

13. All general and other courts-martial shall administer an oath to every witness or other person who shall be examined before such court in any matter relating to any proceeding before the same; and every person, as well civil as military, who may be required to give or produce evidence before a court-martial, shall, in the case of general courts-martial, be summoned by the judge advocate general, or his deputy, or the person officiating as judge advocate, and in the case of all other courts-martial by the president of the court; and all persons so summoned and attending as witnesses before any court-martial shall, during their necessary attendance in or on

such courts, and in going to and returning from the same, be privileged from arrest, and shall, if unduly arrested, be discharged by the court out of which the writ or process issued by which such witness was arrested, or if such court be not sitting, then by any judge of the superior courts of Westminster or Dublin, or of the Court of Session in Scotland, or of the courts of law in the East or West Indies, or elsewhere, according as the case shall require, upon its being made to appear to such court or judge, by any affidavit in a summary way, that such witness was arrested in going to or attending upon or returning from such court-martial; and all witnesses so duly summoned as aforesaid who shall not attend on such courts, or attending shall refuse to be sworn, or being sworn shall refuse to give evidence, or not produce the documents under their power or control required to be produced by them, or to answer all such questions as the court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in London or Dublin, or in the Court of Session or sheriff or stewart courts in Scotland, or in courts of law in the East or West Indies, or in any of Her Majesty's colonies, garrisons, or dominions in Europe or elsewhere respectively, upon complaint made, in like manner as if such witness, after having been duly summoned or subpœnaed, had neglected to attend upon a trial in any proceeding in the court in which such complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an oath necessary in any case where by law a solemn affirmation may be made instead thereof: It shall be lawful for the president of any court-martial to administer an oath to a shorthand writer to take down, according to the best of his power, the evidence to be given before the court.

Oath to be administered to shorthand writer.

14. No officer or soldier who shall be acquitted or convicted of any offence shall be liable to be tried a second time by the same or any other court-martial for the same offence; and no finding, opinion, or sentence given by any court-martial, and signed by the president thereof, shall be revised more than once, nor shall any additional evidence in respect of any charge on which the prisoner then stands arraigned be received by the court on any revision.

No second trial for the same offence, but revision may be allowed.

15. If any person subject to this Act shall at any time during the continuance of this Act begin, excite, cause, or join in any mutiny or sedition in any forces belonging to Her Majesty's army, or Her Majesty's royal marines, or shall not use his utmost endeavours to suppress the same, or shall conspire with any other person to cause a mutiny, or coming to the knowledge of any mutiny or intended mutiny shall not, without delay, give information thereof to his commanding officer; or shall hold correspondence with or give advice or intelligence to any rebel or enemy of Her Majesty, either by

Crimes punishable with death.

letters, messages, signs, or tokens, in any manner or way whatsoever; or shall treat or enter into any terms with such rebel or enemy without Her Majesty's license, or license of the general or chief commander; or shall misbehave himself before the enemy; or shall shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge, or which he shall have been commanded to defend; or shall compel the governor or commanding officer of any garrison, fortress, or post to deliver up to the enemy or to abandon the same; or shall speak words or use any other means to induce such governor or commanding officer, or others, to misbehave before the enemy, or shamefully to abandon or deliver up any garrison, fortress, post, or guard committed to their respective charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's service; or shall leave his post before being regularly relieved; or shall sleep on his post; or shall strike or shall use or offer any violence against his superior officer, being in the execution of his office, or shall disobey any lawful command of his superior officer; or who being confined in a military prison shall offer any violence against a visitor or other his superior military officer, being in the execution of his office; all and every person and persons so offending in any of the matters before mentioned, whether such offence be committed within this realm or in any other of Her Majesty's dominions, or in foreign parts, upon land or upon the sea, shall suffer death, or penal servitude, or such other punishment as by a court-martial shall be awarded: Provided always, that any non-commissioned officer or soldier attested for or in pay in any regiment or corps who shall, without having first obtained a regular discharge therefrom, enlist himself in Her Majesty's army, may be deemed to have deserted Her Majesty's service, and shall be liable to be punished accordingly.

Judgment of death may be commuted for penal servitude or other punishments.

16. In all cases where the punishment of death shall have been awarded by a general court-martial or detachment general court-martial it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the commanding officer having authority to confirm the sentence, instead of causing such sentence to be carried into execution, to order the offender to be kept in penal servitude for any term not less than five years, or to suffer such term of imprisonment, with or without hard labour, and with or without solitary confinement, as shall seem meet to Her Majesty, or to the officer commanding as aforesaid.

Embezzlement, &c. of stores punishable by penal servitude, or by fine, imprisonment, &c.

17. Any officer or soldier of Her Majesty's army, or any person employed in the War Department, or in any way concerned in the care or distribution of any money, provisions, forage, arms, clothing, ammunition, or other stores belonging to Her Majesty's army or for Her Majesty's use, who shall

embezzle, fraudulently misapply, wilfully damage, steal, or receive the same, knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a general court-martial, and sentenced to be kept in penal servitude for any term not less than five years, or to suffer such punishment of fine, imprisonment with or without hard labour, dismissal from Her Majesty's service, reduction to the ranks if a warrant or non-commissioned officer, as such court shall think fit, according to the nature and degree of the offence; and every such offender shall, in addition to any other punishment, make good at his own expense the loss and damage sustained, and in every such case the court is required to ascertain by evidence the amount of such loss or damage, and to declare by their sentence that such amount shall be made good by such offender; and the loss and damage so ascertained as aforesaid shall be a debt to Her Majesty, and may be recovered in any of Her Majesty's courts at Westminster or in Dublin, or the Court of Exchequer in Scotland, or in any court in Her Majesty's colonies, or in India, where the person sentenced by such court-martial shall be resident, after the said judgment shall be confirmed and made known, or the offender, if he shall remain in the service, may be put under stoppages not exceeding one half of his pay and allowances until the amount so ascertained shall be recovered.

As to execution of sentences of penal servitude in the United Kingdom.

18. Whenever Her Majesty shall intend that any sentence of penal servitude heretofore or hereafter passed upon any offender by any court-martial shall be carried into execution for the term specified in such sentence or for any shorter term, or shall be graciously pleased to commute as aforesaid to penal servitude any sentence of death passed by any such court, the sentence, together with Her Majesty's pleasure thereupon, shall be notified in writing by the officer commanding in chief Her Majesty's army in Great Britain and Ireland, or by the adjutant general, or by the Secretary of State for the War Department, to any judge of the Queen's Bench, Common Pleas, or Exchequer in England or Ireland, and thereupon such judge shall make an order for the penal servitude of such offender in conformity with such notification, and shall do all such other acts consequent upon such notification as such judge is authorised to do by any Act in force touching the penal servitude of other offenders; and it shall be lawful for any judge of the Queen's Bench, Common Pleas, or Exchequer in Ireland to make an order that any such offender convicted in Ireland shall be kept in penal servitude in England; and such order shall be in all respects as effectual in England as though such offender had been convicted in England, and the order had been made by any judge of the Queen's Bench, Common Pleas, or Exchequer in England; and the person in whose custody such offender shall at that time be, and all

other persons whatsoever whom the said order may concern, shall be bound to obey and shall be assistant in the execution thereof, and shall be liable to the same punishment for disobedience to or for interrupting the execution of such order as if the order had been made under the authority of any such Act as aforesaid; and every person so ordered to be kept in penal servitude shall be subject to every provision made by law and in force concerning persons under sentence of penal servitude; and from the time when such order of penal servitude shall be made every Act in force touching the escape of felons, or their afterwards returning or being at large without leave, shall apply to such offender, and to all persons aiding and abetting, contriving or assisting in any escape or intended escape, or returning without leave of any such offender; and the judge who shall make any order of penal servitude as aforesaid shall direct the notification of Her Majesty's pleasure, and his own order made thereupon, to be filed and kept of record in the office of the Clerk of the Crown of the Court of Queen's Bench; and the said clerk shall have a fee of two shillings and sixpence only for filing the same, and shall, on application, deliver a certificate in writing (not taking more than two shillings and sixpence for the same) to such offender or to any person applying in his or Her Majesty's behalf, showing the christian and surname of such offender, his offence, the place where the court was held before which he was convicted, and the conditions on which the order of penal servitude was made; which certificate shall be sufficient proof of the conviction and sentence of such offender, and also of the terms on which such order for his penal servitude was made, in any court and in any proceeding wherein it may be necessary to inquire into the same.

As to execution of sentences of penal servitude in the colonies, India, or elsewhere out of Her Majesty's dominions.

19. Whenever any sentence of penal servitude heretofore or hereafter passed upon any offender by any court-martial holden in any part of Her Majesty's foreign dominions, or elsewhere beyond the seas, is to be carried into execution for the term specified in such sentence or for any shorter term, or when sentence of death passed by any such court-martial has been or shall as aforesaid be commuted to penal servitude, the same shall be notified by the officer commanding Her Majesty's forces at the presidency or station where the offender may come or be, or in his absence by the adjutant general for the time being, if in India to the chief judge or any judge of the chief civil court of the presidency or province where the offender may come or be, and if in any other part of Her Majesty's dominions to the chief justice or some other judge therein, and such judge shall make order for the intermediate custody and penal servitude of such offender; and the offender shall, until handed over in pursuance of any such order to the

civil authorities, be detained in military custody, and may be moved in such custody from place to place as circumstances may require; and upon any such order being made it shall be duly notified to the governor of the presidency if in India, or to the governor of the colony if in any of Her Majesty's colonies, or to the person who shall for the time being be exercising the office of governor of such presidency or colony, who, on receipt of such notification, shall cause such offender to be removed or sent to some other colony or place, or to undergo his sentence within the presidency or colony where the offender was so sentenced, or where he may come or be as aforesaid, in obedience to the directions for the removal and treatment of convicts which shall from time to time be transmitted from Her Majesty through one of her Principal Secretaries of State to such presidency or colony; and such offender shall according to such directions undergo the sentence of penal servitude which shall have been passed upon him either in the presidency or colony in which he has been so sentenced, or in the colony or place to which he has been so removed or sent, and whilst such sentence shall remain in force shall be liable to be imprisoned, and kept to hard labour, and otherwise dealt with under such sentence, in the same manner as if he had been sentenced to be imprisoned with hard labour during the term of his penal servitude by the judgment of a court of competent jurisdiction in such presidency or colony, or in the colony or place to which he has been so removed or sent respectively; and elsewhere out of Her Majesty's dominions the officer commanding shall have power to make an order in writing for the penal servitude or intermediate custody of such offender; and such offender shall be liable by virtue of such order to be imprisoned, and kept to hard labour, and otherwise dealt with under the sentence of the court, in the same manner as if he had been sentenced to be imprisoned with hard labour during the term of his penal servitude by the judgment of a court of competent jurisdiction in the place where he may be ordered to be kept in such intermediate custody, or in the place to which he may be removed for the purpose of undergoing his sentence of penal servitude. If any prisoner shall be brought to any place in the United Kingdom there to undergo any sentence of penal servitude which has been passed upon him by a court-martial held elsewhere, and the judge's or officer's order herein-before prescribed for his penal servitude and intermediate custody shall not be forthcoming, and the judge advocate general, upon application for that purpose, shall certify that it appears from the original proceedings of the court-martial whereby the prisoner was tried that he has been duly sentenced to penal servitude, and that for anything that appears to the contrary thereon such sentence is still in force against the said prisoner for the period to be stated in such certificate, then it shall be lawful

for one of Her Majesty's Principal Secretaries of State, upon consideration of such certificate, to direct, in writing under his hand, that the said prisoner shall be at once removed to a convict prison, and be imprisoned and kept to hard labour according to the sentence stated in such certificate, and thereupon the prisoner shall be removed to such convict prison, and shall be liable to be imprisoned and kept to hard labour, and be otherwise dealt with during the term of his sentence, as if he had been sentenced to a like term of penal servitude by a competent court in the United Kingdom.

A sentence of penal servitude may be commuted for imprisonment, &c.

20. In any case where a sentence of penal servitude shall have been awarded by a general or detachment general court-martial it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, instead of causing such sentence to be carried into execution, to order that the offender be imprisoned, with or without hard labour, and with or without solitary confinement, for such term not exceeding two years as shall seem meet to Her Majesty, or to the officers commanding as aforesaid.

Of forfeitures, when combined with penal servitude.

21. Where an award of any forfeiture, or of deprivation of pay or of stoppages of pay, shall have been added to any sentence of penal servitude, it shall be lawful for Her Majesty or, if in any place out of the United Kingdom or British Isles for the officer commanding in chief Her Majesty's forces there serving, in the event of the sentence being commuted for imprisonment, to order such award of forfeiture, deprivation of pay, or stoppages of pay to be enforced, mitigated, or remitted as may be deemed expedient.

Courts-martial may not sentence to corporal punishment in time of peace.

22. No court-martial shall, for any offence whatever committed under this Act during the time of peace within the Queen's dominions, have power to sentence any soldier to corporal punishment; provided, that any court-martial may sentence any soldier to corporal punishment while on active service in the field, or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty or on the line of march, disgraceful conduct, or any breach of the Articles of War; and no sentence of corporal punishment shall exceed fifty lashes.

Power to inflict corporal punishment and imprisonment.

23. It shall be lawful for any general, district, or garrison court-martial, in addition to any sentence of corporal punishment, to award imprisonment, with or without hard labour, and with or without solitary confinement, such confinement not exceeding the periods prescribed by the Articles of War.

Power to commute corporal punishment

24. In all cases in which corporal punishment shall form the whole or part of the sentence awarded by any court-martial it shall be lawful for Her Majesty, or for the general

or other officer authorised to confirm the sentences of courts-martial, to commute such corporal punishment to imprisonment for any period not exceeding forty-two days, with or without hard labour, and with or without solitary confinement, or to mitigate such sentence, or instead of such sentence to award imprisonment for any period not exceeding twenty days, with or without hard labour, and with or without solitary confinement and corporal punishment, to be inflicted in the prison, not exceeding twenty-five lashes, and the solitary confinement herein-before mentioned shall in no case exceed seven days at a time, with intervals of not less than seven days between each period of such confinement. for imprisonment, &c.

25. It shall be lawful for Her Majesty in all cases whatsoever, instead of causing a sentence of cashiering to be put in execution, to order the offender to be reprimanded, or, in addition thereto, to suffer such loss of army or regimental rank, or both, as may be deemed expedient. Power to commute a sentence of cashiering.

26. A general, garrison, or district court-martial may sentence any soldier to imprisonment, with or without hard labour, and with or without solitary confinement, but such solitary confinement shall not exceed the periods prescribed by the Articles of War. Power of imprisonment by general, garrison, or district courts-martial.

27. Any regimental or detachment court-martial may sentence any soldier to imprisonment, with or without hard labour, for any period not exceeding forty-two days, and with or without solitary confinement not exceeding the periods prescribed by the Articles of War. Power of imprisonment by regimental or detachment courts-martial.

28. Whenever sentence shall be passed by a court-martial on an offender already under sentence either of imprisonment or of penal servitude, the court may award a sentence of imprisonment or penal servitude for the offence for which he is under trial, to commence at the expiration of the imprisonment or penal servitude to which he shall have been so previously sentenced, although the aggregate of the terms of imprisonment or penal servitude respectively may exceed the term for which any of those punishments could be otherwise awarded. Whenever Her Majesty, or any general or other officer authorised to confirm the sentences of courts-martial, shall commute a sentence of penal servitude or corporal punishment to imprisonment, and the offender whose sentence shall be so commuted shall, at the time of such commutation, be under sentence of imprisonment or penal servitude, it shall be lawful for Her Majesty, or the general or other officer who shall so commute such sentence, to direct that such commuted sentence of imprisonment shall commence at the expiration of the imprisonment or penal servitude to which such prisoner shall have been so previously sentenced, although the aggregate of the term of imprisonment or penal servitude respectively may As to imprisonment of offenders already under sentence.

exceed the term for which any of those punishments could be otherwise awarded.

Regulations as to military prisons.

29. It shall be lawful for the Secretary of State for the War Department, and in India for the Governor General in Council, to set apart any buildings now erected or which may hereafter be erected, or any part or parts thereof, as military prisons, and to declare that any building or any two or more buildings shall be, and thenceforth such building or buildings shall be deemed and taken to be, a military prison; and every military prison which, under the provisions of any former Act of Parliament, has been or which shall be so as aforesaid set apart and declared, shall be deemed to be a public prison within the meaning of this Act; and all and every the powers and authorities with respect to county goals or houses of correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such military prisons, belong to and may be exercised by the Secretary of State for the War Department, and in India by the Governor General in Council; and it shall be lawful for the said Secretary of State, and in India for the Governor General in Council, from time to time to make, alter, and repeal rules and regulations for the government and superintendence of any such military prison, and of the governor, provost marshal, officers, and servants thereof, and of the offenders confined therein, which said rules and regulations so made as aforesaid shall remain and continue to be in force until the same are altered or repealed by Her Majesty's said Secretary of State for War, or in India by the Governor General in Council; and it shall be lawful for the said Secretary of State, and in India for the Governor General in Council, from time to time to appoint an inspector general and inspectors of military prisons, and a governor, or provost marshal, and all other necessary officers and servants for any such military prison, and, as occasion may arise, to remove the governor or provost martial, officer or servant of any such military prison; and the general or other officer commanding any district or station within which may be any such military prison, or such general or other officer, and such other person or persons as the said Secretary of State, and in India the Governor General in Council, may from time to time appoint, shall be a visitor or visitors of such prison; and the said Secretary of State, and in India the Governor General in Council, may authorise any general officer commanding to appoint periodically visitors to any military prison within his command; and the said Secretary of State, and in India the Governor General in Council or the general officer so appointing, shall transmit to the visitor or visitors of every military prison established by his authority a copy of the rules and regulations which are to be observed and enforced, and the same shall accord-

ingly be observed and enforced, within such prison; and every inspector, visitor, and governor of any such military prison shall, subject to such rules and regulations as may from time to time be made by the said Secretary of State, or in India by the Governor General in Council, have and exercise in respect of such prison, and of the governor, officers, and servants thereof, and of the prisoners confined therein, all the powers and authorities, as well in respect of administering oaths as otherwise, which any inspector, visiting justice, or governor of a county gaol or house of correction may respectively exercise as such: Provided that every inspector of such military prisons, who is also a director of convict prisons, shall have the same power in such military prisons as he has in convict prisons.

As to the custody of military offenders under sentence of court-martial and in other cases.

30. Every governor, provost marshal, gaoler, or keeper of any public prison or of any gaol or house of correction in any part of Her Majesty's dominions shall receive into his custody any military offender under sentence of imprisonment by a court-martial, upon delivery to him of an order in writing in that behalf from the general commanding in chief, or the adjutant general, or the officer who confirmed the proceedings of the court, or the officer commanding the regiment or corps to which the offender belongs or is attached, which order shall specify the offence of which he shall have been convicted, and the sentence of the court, and the period of imprisonment which he is to undergo, and the day and hour of the day on which he is to be released; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court and during the time specified in the said order, or until he be discharged or delivered over to other custody before the expiration of that time under an order duly made for that purpose; and whenever troops are called out in aid of the civil power, or are stationed in billets, or are on the line of march, every governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement, shall receive into his custody any soldier for a period not exceeding seven days, upon delivery to him of an order in writing on that behalf from the officer commanding such troops.

As to the removal or discharge of prisoners in certain cases.

31. In the case of a prisoner undergoing imprisonment under the sentence of a court-martial in any public prison other than the military prisons set apart by the authority of this Act, or in any gaol or house of correction in any part of the United Kingdom, it shall be lawful for the general commanding in chief, or the adjutant general, or the officer who confirmed the proceedings of the court, or the officer commanding the district or garrison in which such prisoner

may be, to give, as often as occasion may arise, an order in writing directing that the prisoner be discharged, or be delivered over to military custody, whether for the purpose of being removed to some other prison or place in the United Kingdom, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of a prisoner undergoing imprisonment or penal servitude under the sentence of a court-martial in any public prison other than such military prison as aforesaid, or in any gaol or house of correction in any part of Her Majesty's dominions other than the United Kingdom, it shall be lawful for the general commanding in chief or the adjutant general of Her Majesty's forces in the case of any such prisoner, and for the Commander-in-Chief in India in the case of any prisoner so confined in any part of Her Majesty's Indian dominions, and for the general commanding in chief in any presidency in India in the case of a prisoner so therein confined, and for the officer commanding in chief or the officer who confirmed the proceedings of the court at any foreign station in the case of a prisoner so there confined, to give, as often as occasion may arise, an order in writing directing that the prisoner be discharged or be delivered over to military custody, whether for the purpose of being removed to some other prison or place in any part of Her Majesty's dominions, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of any prisoner who shall be removed by any such order from any such prison, gaol, or house of correction either within the United Kingdom or elsewhere to some other prison or place either in the United Kingdom or elsewhere, the officer who gave such order shall also give an order in writing directing the governor, provost marshal, gaoler, or keeper of such other prison or place to receive such prisoner into his custody, and specifying the offence of which such prisoner shall have been convicted, and the sentence of the court, and the period of imprisonment which he is to undergo, and the day and the hour on which he is to be released; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court, and during the time specified in the said order, or until he be duly discharged or delivered over to other custody before the expiration of that time under an order duly made for that purpose; and in the case of a prisoner undergoing imprisonment or penal servitude under the sentence of a court-martial in any military prison in any part of Her Majesty's dominions, the Secretary of State for the War Department, or the general officer commanding the district or station in which the prison

may be situated, shall have the like powers in regard to the discharge and delivery over of such prisoners to military custody as may be lawfully exercised by any of the military authorities above mentioned in respect of any prisoners undergoing confinement as aforesaid in any public prison other than a military prison, or in any gaol or house of correction in any part of Her Majesty's dominions; and such prisoner in any of the cases herein-before mentioned shall accordingly, on the production of any such order as is herein-before mentioned, be discharged or delivered over, as the case may be: Provided always, that the time during which any prisoner under sentence of imprisonment by a court-martial shall be detained in such military custody under such order as aforesaid shall be reckoned as imprisonment under the sentence, for whatever purpose such detention shall take place; and such prisoner may during such time, either when on board ship or otherwise, be subjected to such restrant as is necessary for his detention and removal.

Provision for subsistence.

32. The gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions shall diet and supply every soldier imprisoned therein under the sentence of a court-martial or as a deserter with fuel and other necessaries according to the regulations of such place of confinement, and shall receive on account of every soldier, out of the subsistence of such soldier during the period of his imprisonment, in Great Britain and Ireland, one shilling per diem, and in other parts of Her Majesty's dominions sixpence per diem: In all cases where such soldier is sentenced to be discharged from the army on the completion of his term of imprisonment, the Secretary of State for the War Department may cause to be issued out of army votes, upon application in writing, signed by any justice within whose jurisdiction such place of confinement shall be locally situated, together with a copy of the order of commitment, a further sum not exceeding sixpence per diem, and which said sum of one shilling or of sixpence, and the further sum, if any, as the case may be, shall be carried to the credit of the fund from which the expense of such place of confinement is defrayed. A sentence of imprisonment or of penal servitude passed either by a court-martial or by any court of criminal jurisdiction upon any person subject to this Act, shall be in no respect affected by such person ceasing to be subject to this Act by discharge or otherwise at any time: Provided, that for each person so ceasing to be subject to this Act, the Secretary of State for the War Department may cause to be issued out of army votes, upon application in writing, signed by any justice as aforesaid, together with a copy of the order of commitment, a sum not exceeding one shilling and sixpence per diem, which said sum shall be carried to the credit

of the fund from which the expense of such place of confinement is defrayed.

In India the expenses incurred under the provisions of this section shall be paid in the same manner as the other expenses of such prison, or as may be provided by the laws or regulations to be made in that behalf.

Expiration of imprisonment of soldiers in common gaols.

33. Every gaoler or keeper of any public prison, gaol, house of correction, or other place of confinement, to whom any notice shall have been given, or who shall have reason to know or believe, that any person in his custody for any offence, civil or military, is a soldier liable to serve Her Majesty on the expiration of his imprisonment, shall forthwith, or as soon as may be, give, if in Great Britain, to the Secretary of State for the War Department, and if in Ireland to the general commanding Her Majesty's forces in Ireland, or if in India to the adjutant general of the army, or to the nearest military authority with whom it may be convenient to communicate, notice of the day and hour on which the imprisonment of such person will expire; and every such gaoler or keeper is hereby required to use his best endeavours to ascertain and report in all cases where practicable the particular regiment or corps, battalion of a regiment or battery of artillery, to which such soldier belongs, and also whether he belongs to the depôt or the head quarters of his regiment; and in the event of his being a recruit who has not joined, that it may be so stated in his report, together with the name of the place where the man enlisted. In all cases where the soldier in custody is under sentence to be discharged from the service on the completion of his term of imprisonment, and the discharge document is in the hands of the gaoler, such gaoler shall not be required to make any report thereof to the Secretary of State for War, or to the military authorities herein-before referred to.

Apprehension of deserters in the United Kingdom.

34. Upon reasonable suspicion that a person is a deserter it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or soldier in Her Majesty's service, or other person, to apprehend or cause to be apprehended such suspected person, and forthwith to bring him or cause him to be brought before any justice living in or near the place where he was so apprehended and acting for the county, city, district, place, or borough wherein such place is situate, or for the county adjoining such first-mentioned county or such borough; and such justice is hereby authorised and required to inquire whether such suspected person is a deserter, and from time to time to defer the said inquiry and to remand the said suspected person in the manner prescribed by an Act passed in the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-two, section twenty-one, and subject to every provision therein contained;

and if it shall appear to the satisfaction of such justice by the testimony of one or more witnesses taken upon oath, or by the confession of such suspected person, confirmed by some corroborative evidence upon oath or by the knowledge of such justice, that such suspected person is a deserter, such justice shall forthwith cause him to be conveyed in civil custody to the head quarters or depôt of the regiment or corps to which he belongs, if stationed within a convenient and easily accessible distance from the place of commitment, or if not so stationed then to the nearest or most convenient public prison (other than a military prison set apart under the authority of this Act) or police station legally provided as a lock-up house for temporary confinement of persons taken into custody, whether such prison or police station be in the county or borough in which such suspected person was apprehended or in which he was committed, or not; or if the deserter has been apprehended by a party of soldiers of his own regiment or corps in charge of a commissioned officer, such justice may deliver him up to such party, unless the officer shall deem it necessary to have the deserter committed to prison for safe custody; and such justice shall transmit an account of the proceedings, in the form prescribed in the schedule annexed to this Act, to the Secretary of State for the War Department, specifying therein whether such deserter was delivered to his regiment or corps, or to the party of his regiment or corps, in order to his being taken to the head quarters or depôt of his regiment or corps, or whether such deserter was committed to prison, to the end that the person so committed may be removed by an order from the office of the said Secretary of State, and proceeded against according to law; and such justice shall also send to the said Secretary of State a report stating the names of the persons by whom or by or through whose means the deserter was apprehended and secured; and the said Secretary of State shall transmit to such justice an order for the payment to such persons of such sum not exceeding forty shillings as the said Secretary of State shall be satisfied they are entitled to according to the true intent and meaning of this Act; and for such information, commitment, and report as aforesaid the clerk of the said justice shall be entitled to a fee of two shillings and no more; and every gaoler and other person into whose custody any person charged with desertion is committed shall immediately upon the receipt of the person so charged into his custody pay such fee of two shillings, and also upon the production of a receipt from the medical practitioner who, in the absence of a military medical officer, may have been required to examine such suspected person, a fee of two shillings and sixpence, and shall notify the fact to the Secretary of State for the War Department, and transmit also to the said Secretary of State a copy of the commitment, to the end that such

In Her Majesty's foreign dominions.

Secretary of State may order repayment of such fees; and when any such person shall be apprehended and committed as a deserter in any part of Her Majesty's foreign dominions the justice shall forthwith cause him to be conveyed to some public prison, if the regiment or corps to which he is suspected to belong shall not be in such part, or, if the regiment or corps be in such part, the justice may deliver him into custody at the nearest military post if within reasonable distance, although the regiment to which such person is suspected to belong may not be stationed at such military post; and such justice shall in every case transmit to the general or other officer commanding a descriptive return in the form prescribed in the schedule to this Act annexed, to the end that such person may be removed by order of such officer, and proceeded against according to law; and such descriptive return purporting to be duly made and subscribed in accordance with the Act shall, in the absence of proof to the contrary, be deemed sufficient evidence of the facts and matters therein stated: Provided always, that any such person so committed as a deserter in any part of Her Majesty's dominions shall, subject to the provisions herein-after contained, be liable to be transferred by order of the general or other officer commanding to serve in any regiment or corps or depôt nearest to the place where he shall have been apprehended, or to any other regiment or corps to which it may be desirable that he should be transferred, and shall also be liable after such transfer of service to be tried and punished as a deserter.

Transfer of deserters.

As to the temporary custody of deserters in gaols.

35. Every gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions is hereby required to receive and confine therein every deserter who shall be delivered into his custody by any soldier or other person conveying such deserter under lawful authority, on production of the warrant of the justice of the peace on which such deserter shall have been taken, or some order from the office of the Secretary of State for the War Department, which order shall continue in force until the deserter shall have arrived at his destination; and such gaoler or keeper shall be entitled to one shilling for the safe custody of the said deserter while halted on the march, and to such subsistence for his maintenance as shall be directed by Her Majesty's regulations.

Desertion of recruits prior to joining their regiments or corps.

36. Any recruit for Her Majesty's army who, having been attested or received pay other than enlisting money, shall desert before joining the regiment or corps for which he has enlisted, shall, on being apprehended, and committed for such desertion by any justice of the peace upon the testimony of one or more witnesses upon oath, or upon his own confession, forfeit his personal bounty, and be liable to be transferred to

any regiment or corps or depôt nearest to the place where he shall have been apprehended, or to any other regiment or corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such deserters thus transferred shall not be liable to other punishment for the offence, or to any other penalty except the forfeiture of their personal bounty.

Fraudulent confession of desertion.

37. Any person who shall confess himself to be a deserter from Her Majesty's forces, or from the embodied militia, shall be liable to be taken before any two justices of the peace acting for the county, district, city, burgh, or place where any such person shall at any time happen to be when he shall be brought before them, and on proof that any such confession as aforesaid was false shall by the said justices be adjudged to be punished, if in England, as a rogue and vagabond, and if elsewhere by commitment to some prison or house of correction, there to be kept to hard labour for any time not exceeding three calendar months; and if, when such person shall be brought before the said justices, it shall be proved to their satisfaction that such confession has been made, but evidence of the truth or falsehood of such confession shall not at that time be forthcoming, such justices within the United Kingdom are hereby required to remand such person in the manner herein-before mentioned, and to transmit a statement of the case and descriptive return to the Secretary of State for the War Department, with a request to be informed whether such person appears to belong or to have belonged to the regiment or corps from which he shall have so confessed himself to have deserted; and a letter from the War Office in reply thereto, referring to such statement, and purporting to be signed by or on behalf of the Secretary of State for the War Department, shall be admissible in evidence against such person, and shall be deemed to be legal evidence of the facts stated therein, and on the receipt thereof the said justices shall forthwith proceed to adjudicate upon the case. In India the authority herein given to two justices may be exercised by one European justice or magistrate.

Furlough in case of sickness.

38. When there shall not be any military officer of rank not inferior to captain, or any adjutant of regular militia, within convenient distance of the place where any non-commissioned officer or soldier on furlough shall be detained by sickness or other casualty rendering necessary any extension of such furlough, it shall be lawful for any justice who shall be satisfied of such necessity to grant an extension of furlough for a period not exceeding one month; and the said justice shall by letter immediately certify such extension and the cause thereof to the commanding officer of the corps or detachment to which such non-commissioned officer or soldier belongs, if known, and if not then to the agent of the regi-

ment or corps, in order that the proper sum may be remitted to such non-commissioned officer or soldier, who shall not during the period of such extension of furlough be liable to be treated as a deserter: Provided always, that nothing herein contained shall be construed to exempt any soldier from trial and punishment, according to the provisions of this Act, for any false representation made by him in that behalf to the said justice, or for any breach of discipline committed by him in applying for and obtaining the said extension of furlough.

No person acquitted or convicted by the civil magistrate or by a jury to be tried by a court-martial for the same offence.

39. No person subject to this Act, having been acquitted or convicted of any crime or offence by the civil magistrate, or by the verdict of a jury, shall be liable to be again convicted for the same crime or offence by a court-martial, or to be punished for the same otherwise than by cashiering in the case of a commissioned officer, or in the case of a warrant officer by reduction to an inferior class or to the rank of a private soldier by order of the Commander-in-Chief, or in the case of an army schoolmaster to discharge from the service, or loss of the whole or any period of his previous service reckoning towards pension on discharge by order of the Commander-in-Chief, or in the case of a non-commissioned officer by reduction to the ranks by order of the Commander-in-Chief or of the colonel, or in the militia by order of the appointed commandant of the regiment or corps; and whenever any officer or soldier shall have been tried by any court of ordinary criminal jurisdiction, the clerk of such court or other officer having the custody of the records of such court, or the deputy of such clerk, shall, if required by the officer commanding the regiment or corps to which such officer or soldier shall belong, transmit to him a certificate setting forth the offence of which the prisoner was convicted, together with the judgment of the court thereon if such officer or soldier shall have been convicted, or of the acquittal of such officer or soldier, and shall be allowed for such certificate a fee of three shillings.

Soldiers liable to be taken out of Her Majesty's service only for felony, misdemeanor, or for debts amounting to 30*l.* and upwards.

40. Any person attested for Her Majesty's army, or serving on the permanent staff of the disembodied militia or volunteers other than as a commissioned officer, shall be liable to be taken out of Her Majesty's service only by process or execution on account of any charge of felony or of misdemeanor, or of any crime or offence other than the misdemeanor of absenting himself from his service, or neglecting to fulfil his contract, or otherwise misconducting himself respecting the same, or the misdemeanor of refusing to comply with an order of justices for the payment of money, or on account of an original debt proved by affidavit of the plaintiff or of some one on his behalf to amount to the value of thirty pounds at the least, over and above all costs of suit, such affidavit to be sworn, without payment of any fee, before some judge of the

court out of which process or execution shall issue, or before some person authorised to take affidavits in such court, of which affidavit, when duly filed in such court, a memorandum shall, without fee, be endorsed upon the back of such process, stating the facts sworn to, and the day of filing such affidavit; but no soldier or other person as aforesaid shall be liable by any process whatever to appear before any justice of the peace or other authority whatever, or to be taken out of Her Majesty's service by any writ, summons, warrant, order, judgment, execution, or any process whatsoever issued by or by the authority of any court of law, or any magistrate, justice or justices of the peace, or any other authority whatsoever, for any original debt not amounting to thirty pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any parish, township, or place, or to the common fund of any union, any relation or child which such soldier or person might, if not in Her Majesty's service, be compellable by law to relieve or maintain, or for neglecting to pay to the mother of any bastard child, or to any person who may have been appointed to have the custody of such child, any sum to be paid in pursuance of an order on that behalf, or for the breach of any contract, covenant, agreement, or other engagement whatever by parol or in writing, or for having left or deserted his employer or master, or his contract, work, or labour, or misconducting himself respecting the same, except in the case of an apprentice, or of an indentured labourer, as herein-after described; and all summonses, warrants, commitments, indictments, convictions, judgments, and sentences on account of any of the matters for which it is herein declared that a soldier or other person as aforesaid is not liable to be taken out of Her Majesty's service shall be utterly illegal, and null and void, to all intents and purposes; and any judge of any such court may examine into any complaint made by a soldier or by his superior officer, and by warrant under his hand discharge such soldier, without fee, he being shown to have been arrested contrary to the intent of this Act, and shall award reasonable costs to such complainant, who shall have for the recovery thereof the like remedy as would have been applicable to the recovery of any costs which might have been awarded against the complainant in any judgment or execution as aforesaid, or a writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the discharge of any such soldier out of custody shall be ordered thereupon; provided that any plaintiff, upon notice of the cause of action first given in writing to any soldier, or left at his last quarters, may proceed in any action or suit to judgment, and have execution other than against the body or military necessaries or equipments of such soldier; provided also, that nothing herein contained relating to the leaving or deserting a master or employer, or to the breach of

Soldiers not liable to be taken out of Her Majesty's service for debts under 30*l.*, or for not maintaining their families, or for breach of contract.

any contract, agreement, or engagement, shall apply to persons who shall be really and bonâ fide apprentices, duly bound, under the age of twenty-one years, or to indentured labourers, as herein-after prescribed.

Officers not to be sheriffs or mayors, &c.

41. No person who shall be commissioned and in full pay as an officer shall be capable of being nominated or elected to be sheriff of any county, borough, or other place, or to be mayor, portreeve, alderman, or to hold any office in any municipal corporation in any city, borough, or place in Great Britain or Ireland: Provided that the competence or liability of any officer to be nominated to or to hold any of the aforesaid offices shall not be deemed to be affected by reason of the corps to which he belongs being assembled for annual training at the time of his nomination to, or during the period of his tenure of, such office.

Questions to be put to recruits on enlisting.

42. Every person authorised to enlist recruits or to enrol men under any Reserve Force Acts, or to enlist men under any Militia Reserve Acts, shall first ask the person about to be so enlisted or enrolled whether he belongs to any and what force in Her Majesty's service, and also such other questions as the proper authorities may direct to be put to such persons, and in case of a recruit shall immediately after giving him enlisting money serve him with a notice in the form ordered by the Secretary of State for the War Department to be used.

Recruits, when deemed to be enlisted.

43. Every person who shall receive enlisting money in manner aforesaid, knowing it to be such, shall, subject to the provisions herein-after contained, upon such receipt be deemed to be enlisted as a soldier in Her Majesty's service, and while he shall remain with the recruiting party shall be entitled to be billeted.

When recruits to be taken before a justice.

44. Every person so enlisted as aforesaid shall, within ninety-six hours (any intervening Sunday, Christmas Day, or Good Friday not included) but not sooner than twenty-four hours after such enlistment, appear, together with some person employed in the recruiting service, before a justice of the peace, not being an officer of the army, for the purpose of being attested as a soldier, or of objecting to his enlistment.

Dissent and relief from enlistment.

45. When a recruit upon appearing before a justice for the purposes aforesaid shall dissent from or object to his enlistment, and shall satisfy the justice that the same was effected in any respect irregularly, he shall forthwith discharge the recruit absolutely, and shall report such discharge to the inspecting field officer of the district, or in the case of a recruit enlisted at the head quarters or depôt of a regiment to the officer commanding the same; but if the recruit so dissenting shall not allege or shall not satisfy the justice that the enlistment was effected irregularly, nevertheless, upon repayment of the

enlisting money, and of any sum received by him in respect of pay or allowances, and of a further sum of twenty shillings as smart money, he will be entitled to be discharged, and the sum paid by such recruit upon his discharge shall be kept by the justice, and, after deducting therefrom one shilling as the fee for reporting the payment to the Secretary of State for the War Department and to the inspecting field officer of the district, shall be paid over to any person belonging to the recruiting party who may demand the same; and the justice who shall discharge any recruit shall in every case give a certificate thereof, signed with his hand, to the recruit, specifying the cause thereof.

Attesting of recruits.

46. If the recruit on appearing before a justice shall not dissent from his enlistment, or dissenting shall within twenty-four hours return and state that he is unable to pay the sums mentioned in the last section, he shall be attested as follows: the justice, or some person deputed by him, shall read to the recruit the questions set forth in the form of attestation ordered by the Secretary of State for the War Department to be used, cautioning him that if he fraudulently make any false answer thereto he shall be liable to be punished as a rogue and a vagabond; and the answers of the recruits shall be recorded opposite to the said questions, and the justice shall require the recruit to make and sign the declaration in the said form, and shall then administer to him the oath of allegiance in the said form; and when the recruit shall have signed the said declaration, and taken the said oath, the justice shall attest the same by his signature, and shall deliver to the recruiting officer the declaration so signed and attested; and the fee for such attestation, including the declaration and oath, shall be one shilling and no more; and any recruit shall, if he so wish, be furnished with a certified copy of the above-mentioned declaration by the officer who finally approved of him for the service.

Recruits, until they have been attested or received pay, not triable by court-martial, but in certain cases punishable as rogues and vagabonds.

47. No recruit, unless he shall have been attested or shall have received pay other than enlisting money, shall be liable to be tried by court-martial; but if any person previously to his being attested or enrolled shall by means of any false answer obtain enlistment or other money, or shall make any false statement in his declaration, or shall refuse to answer any question duly authorised to be put to him for the purpose of filling up such declaration, or shall refuse or neglect to go before a justice for the purposes aforesaid, or having in the case of a recruit dissented from his enlistment shall wilfully omit to return and pay such money as aforesaid, in any of such cases it shall be lawful for any two justices within the United Kingdom, or for any one justice out of the United Kingdom, acting for the county, district, city, burgh, or place where any such person shall at any time happen to be, to adjudge such person, when

he shall be brought before them or him, if in England, to be a rogue and vagabond, and to sentence him to be punished accordingly, and if in Scotland or Ireland, or elsewhere in Her Majesty's dominions, to be imprisoned with hard labour in any prison or house of correction for any period not exceeding three calendar months.

Attested recruits triable in some cases either before two justices or before a court-martial.

48. Any person who shall have been attested or enrolled in the regular army or reserves, and who shall afterwards be discovered to have given any wilfully false answer to any question directed to be put by the proper authorities, or shall have made any wilfully false statement in the declaration herein-before mentioned, shall be liable, at the discretion of the proper military authorities, to be proceeded against before two justices in the manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a district or garrison court-martial for the same, and punished in such manner as such court shall direct; and the declaration made by such person on his attestation or enrolment purporting to be made in accordance with the regulations of the Secretary of State shall, in the absence of proof to the contrary, be deemed sufficient evidence, whether before such justice or justices or before any court-martial, of such person having represented the several particulars as stated in such declaration.

Recruits absconding.

49. If any recruit shall abscond, so that it is not possible immediately to apprehend and bring him before a justice for attestation, the recruiting party shall produce to the justice before whom the recruit ought to have been brought for that purpose a certificate of the name and place of residence and description of such recruit, and of his having absconded, and shall declare the same to be true; and the justice to whom such certificate shall be produced shall transmit a duplicate thereof to the Secretary of State for the War Department in order that the same may appear in the "Police Gazette." For the purposes of this section and all purposes of attestation and enlistment, a justice of any county or borough shall be deemed to be a justice of any other county or borough.

As to militiamen enlisting into regular forces.

50. If any man while belonging to a militia regiment shall enlist in and be attested for Her Majesty's army, he shall be liable to be tried before a court-martial on a charge for desertion; but it shall be lawful for the Secretary of State for the War Department to give such general directions as may from time to time appear to him necessary for placing any man who confesses himself to be a militiaman under stoppage of one penny a day of his pay for eighteen calendar months, in lieu of his being tried by court-martial, and in case such militiaman shall have belonged to the Militia Reserve at the time of his attestation for placing him under a further stoppage of one penny a day for two hundred and forty days, and further to give

general directions as to the manner in which such stoppages shall be applied, and whether, on making good the same, the man shall be returned to his militia regiment or be deemed to be a soldier in the same manner as if he had not been a militiaman at the time of his attestation: Provided, that every soldier who while belonging to a militia regiment enlisted in Her Majesty's army, whether such enlistment took place before or after the passing of the Mutiny Act, 1860, shall reckon service towards the performance of his limited engagement from the date of his attestation: Provided also, that any such soldier shall not reckon service for pension until the day on which his engagement for the militia would have expired; but if any such soldier shall subsequently to his enlistment have rendered long, faithful, or gallant service, the Secretary of State for War may, upon the special recommendation of the Commander-in-Chief, order that he may reckon service for pension from the date of his attestation. If any non-commissioned officer of the volunteer permanent staff enlists in Her Majesty's army he may be tried and punished as a deserter, but if he confesses his desertion the Secretary of State for the War Department, instead of causing him to be tried and punished as a deserter, may cause him to be returned to his service on the volunteer permanent staff, to be there put under stoppages from his pay until he has repaid the amount of any bounty received by him and the expenses attending his enlistment, and also the value of any arms, &c. issued to him while on the volunteer permanent staff, and not duly delivered up by him; or may cause him to be held to his service in Her Majesty's army, with a direction, if it seems fit, that his time of service therein shall not be reckoned for pension until the time when his engagement on the volunteer permanent staff would have expired; and may further cause him to be put under stoppages of one penny a day of his pay until he has repaid the expense attending his engagement or attestation on the volunteer permanent staff, and also the value of any arms, clothing, or appointments issued to him while on the volunteer permanent staff, and not duly delivered up by him.

Punishment of persons offending against laws relating to enlistment.

51. Every person subject to this Act who shall wilfully act contrary to any of its provisions in any matter relating to the enlisting or attesting of recruits for Her Majesty's army shall be liable to be tried for such offence before a general, district, or garrison court-martial, and to be sentenced to such punishments other than death or penal servitude as such courts may award.

Enlistment and re-enlistment, and transfer to another corps abroad.

52. It shall be lawful for any justice of the peace or person exercising the office of a magistrate within any of Her Majesty's dominions abroad, and in any colony for any other person duly authorised in that behalf by the governor or officer administering the government of such colony, and beyond the limits

of Her Majesty's dominions for any British consul or person duly exercising the authority of a British consul, and in Her Majesty's dominions in India for any person duly authorised in that behalf by the Governor General or lieutenant governor or other officer administering the government of any presidency, division, or province, and within the territories of any foreign state in India for the person performing the duties of the office of British resident therein, and for any other person duly authorised in that behalf by the Governor General, to enlist and attest or to re-engage within the local limits of their several authorities any soldiers or persons desirous of enlisting or re-engaging in Her Majesty's army; and it shall be lawful, notwithstanding anything contained in the statute twenty-third and twenty-fourth Victoria, chapter one hundred, for any person so authorised in Her Majesty's dominions in India, or within the territories of any foreign state in India, to enlist and attest within the local limits of his authority any persons desirous of enlisting in Her Majesty's Indian forces. Any such magistrate or person as aforesaid shall have the same powers in that behalf as are by this or any other Act of Parliament given to justices in the United Kingdom for all such purposes of enlistment and attestation; but no such magistrate or other person authorised to enlist and attest as above mentioned shall be a general officer or hold any regimental commission; and all such appointments, past and future, and everything done or to be done under them, shall be valid and of full effect, notwithstanding the expiration of this Act or of any other Act of Parliament; and any person so attested shall be deemed to be an attested soldier.

Soldiers willing may be transferred to succeeding corps.

53. When any corps shall be relieved or disbanded at any station beyond the seas it shall be lawful for any officers thereunto authorised by the officer commanding in chief at such station to receive as transfers as many of the soldiers belonging to the corps leaving the station as shall be willing and fit for service for any corps appointed to remain; and every soldier so transferred is hereby deemed to be discharged from his former corps, and an attested certificate of transfer shall be delivered to the soldier.

Soldiers may be transferred from one service to another.

54. It shall be lawful for the Commander-in-Chief, and on any foreign station for the general or other officer commanding at such station, to direct that any soldier attested for any one branch of the service shall, on the application of his commanding officer, and with his own consent, be transferred to some other branch of the service or to some other regiment or corps in the same branch of the service, either within the United Kingdom or elsewhere; and every soldier so transferred shall be deemed to be discharged from his former corps, and shall have a certificate of transfer delivered to him: Provided always, that any soldier who may have volunteered for the

corps of armourer sergeants, or for the army hospital corps, or the army service corps, shall be liable, by order of the military authorities above mentioned, to be re-transferred to his former corps, or to any other corps on the station on which he is serving at the time, for misconduct, unfitness, or any other reasonable cause: Provided also, that any staff clerk or other non-commissioned officer or soldier on the staff of the army may be transferred to any corps serving at the station at the time of his removal from staff employ: Provided also, that upon the conviction by court-martial of any soldier of the crime of desertion, the officer commanding in chief Her Majesty's forces may, and if the court-martial has been held at a foreign station the officer commanding in chief Her Majesty's forces at such foreign station may, order such soldier to serve in any regiment or corps.

Re-engagement of soldiers for a further term.

55. Any soldier who being in army service has commenced the last year of his first term of enlistment, or who being within three years of the expiration of his first term of enlistment, has been ordered, but has not yet proceeded on foreign service, may, with the approval of his commanding officer, or other competent military authority, and subject to such regulations as may from time to time be made by the Secretary of State, be re-engaged for such a period as shall complete a total period of twenty-one years in Her Majesty's service, reckoning from the time of his first enlistment; and any soldier who has completed a total period of twenty-one years service may, with the approval of the competent military authorities, continue to serve beyond such total period under the provisions of the tenth section, Army Enlistment Act, 1870; and any person who has been a soldier, and who has received his discharge, may also be so re-engaged upon making a declaration in the form ordered by the Secretary of State for the War Department to be used, before any one of Her Majesty's justices of the peace in Great Britain or Ireland, or if not in Great Britain or Ireland before any person duly appointed to enlist and attest out of Great Britain and Ireland any soldiers or persons desirous of enlisting or re-engaging in Her Majesty's service: Provided always, that in reckoning service under the original enlistment or re-engagement of a soldier the boon service granted by the general order of the Governor General of India, dated twelfth of October one thousand eight hundred and fifty-nine shall be reckoned as actual service, and allowed towards pension and discharge: Provided also, that every soldier now serving who belonged to the garrison which defended Lucknow, or to the garrison which defended the Alumbagh, before the advance of any portion of the forces under the late Lord Clyde in one thousand eight hundred and fifty-seven, shall be allowed to reckon one year's service towards the performance of his limited engagement, and also towards pension on discharge:

Boon service to be reckoned.

Provided also, that every soldier who volunteered into Her Majesty's army from any embodied regiment of militia between the thirty-first of December one thousand eight hundred and fifty-five and the twenty-first of March one thousand eight hundred and sixty-one inclusive, or from the disembodied militia during the last week of the training of his regiment in the year one thousand eight hundred and fifty-eight, and who had rendered previous to volunteering six months embodied or disembodied militia service, shall be allowed to reckon towards good-conduct pay and pension, and towards the completion of his limited engagement of service in Her Majesty's army, half the embodied service which he had rendered in the militia after attaining the age of eighteen.

Enlistment of negroes.

56. All negroes or persons of colour who, although not born in any of Her Majesty's colonies, territories, or possessions, shall have voluntarily enlisted into Her Majesty's service, shall, while serving, be deemed to be soldiers legally enlisted into Her Majesty's service, and be entitled to all the privileges of natural-born subjects; and all negroes who have been seized and condemned as prize under the Slave Trade Acts, and appointed to serve in Her Majesty's army, shall be deemed to be and shall be entitled to all the advantages of negroes or persons of colour voluntarily enlisted to serve as soldiers in any of Her Majesty's colonial forces.

Apprentice enlisting to be liable to serve after the expiration of his apprenticeship.

57. Any person duly bound as an apprentice in Great Britain or Ireland, or as an indentured labourer in any of Her Majesty's colonies or possessions abroad, who shall enlist as a soldier in Her Majesty's army, and shall falsely state to the magistrate before whom he shall be carried and attested that he is not an apprentice or indentured labourer as aforesaid, shall be deemed guilty of obtaining money under false pretences, if in England or in Ireland, or in the colonies or possessions aforesaid, and of falsehood, fraud, and wilful imposition, if in Scotland, and shall after the expiration of his apprenticeship, or of his indenture as a labourer, whether he shall have been so convicted and punished or not, be liable to serve as a soldier in Her Majesty's army according to the terms of the enlistment, and if on the expiration of his apprenticeship, or of his indenture as a labourer, he shall not deliver himself up to some officer authorised to receive recruits, such person may be taken as a deserter from Her Majesty's army; and no master shall be entitled to claim an apprentice or an indentured labourer as aforesaid who shall enlist as a soldier in Her Majesty's army, or shall be serving in the embodied militia, unless he shall, within one calendar month after such apprentice or indentured labourer shall have left his service, go before some justice, and take the oath mentioned in the schedule to this Act annexed, and shall produce the certificate of such justice of his having taken such oath, which certificate such

Claims of masters to apprentices.

justice is required to give in the form in the schedule to this Act annexed, and unless such apprentice shall have been bound, if in England, for the full term of five years, not having been above the age of fourteen when so bound, and, if in Ireland or in the British Isles, for the full term of five years at the least, not having been above the age of sixteen when so bound, and, if in Scotland, for the full term at least of four years, by a regular contract or indenture of apprenticeship, duly extended, signed, and tested, and binding on both parties by the law of Scotland, prior to the period of enlistment, and unless such contract or indenture in Scotland shall, within three months after the commencement of the apprenticeship, and before the period of enlistment, have been produced to a justice of the peace of the county in Scotland wherein the parties reside, and there shall have been indorsed thereon by such justice a certificate or declaration signed by him specifying the date when and the person by whom such contract or indenture was so produced, which certificate or declaration such justice of the peace is hereby required to indorse and sign, and unless such apprentice shall, when claimed by such master, be under twenty-one years of age: Provided always, that any master of an apprentice indentured for the sea service, or of any indentured labourer in Her Majesty's colonies or possessions abroad, shall be entitled to claim and recover him in the form and manner above directed, notwithstanding such apprentice or indentured labourer may have been bound for a less term than five or four years as aforesaid: Provided also, that any master who shall give up the indentures of his apprentice or of his labourer as aforesaid within one month after the enlisting of such apprentice or indentured labourer shall be entitled to receive to his own use so much of the bounty payable to such recruit as shall not have been paid to such recruit before notice given of his being an apprentice or an indentured labourer.

Punishment of apprentices enlisting.

58. No apprentice or indentured labourer claimed by his master as aforesaid shall be taken from any corps or recruiting party, except under a warrant of a justice residing near, and within whose jurisdiction such apprentice or indentured labourer shall then happen to be, before whom he shall be carried; and such justice shall inquire into the matter upon oath, which oath he is hereby empowered to administer, and shall require the production and proof of the indenture, and that notice of the said warrant has been given to the commanding officer, and a copy thereof left with some officer or non-commissioned officer of the party, and that such person so enlisted declared that he was no apprentice or indentured labourer; and such justice, if required by such officer or non-commissioned officer, shall commit the offender to the common gaol of the county, division, or place for which such justice is

acting, and shall keep the indenture to be produced when required, and shall bind over such person as he may think proper to give evidence against the offender, who shall be tried at the next or at the sessions immediately succeeding the next general or quarter sessions of such county, division, or place, unless the court shall for just cause put off the trial; and the production of the indenture, with the certificate of the justice that the same was proved, shall be sufficient evidence of the said indenture; and every such offender in Scotland may be tried by the judge ordinary in the county or stewartry in such and the like manner as any person may be tried in Scotland for any offence not inferring a capital punishment: Provided always, that any justice not required as aforesaid to commit such apprentice or indentured labourer may deliver him to his master.

Removal of doubts as to attestation of soldiers.

59. No person who shall for six months either before or after the passing of this Act, have received pay and been borne on the strength and pay list of any regiment or corps, or depôt or battalion of a regiment or corps (of which the last quarterly pay list, if produced, shall be evidence), shall be entitled to claim his discharge on the ground of error or illegality in his enlistment or attestation or re-engagement, or on any other ground whatsoever, but, on the contrary, every such person shall be deemed to have been duly enlisted, attested, or re-engaged, as the case may be; and no person shall be exempted from the provisions of this Act or of the Articles of War for the time being by reason only that the number of the forces for the time being in the service of Her Majesty is either greater or less than the number herein-before mentioned.

Authorised deductions only to be made from the pay of the army.

60. No Secretary of State for the War Department, paymaster general of the army, paymaster, or any other officer whatsoever, or any of their under officers, shall receive any fees or make any deductions whatsoever out of the pay of any officer or soldier in Her Majesty's army, or from their agents, which shall grow due from and after the twenty-fifth day of April one thousand eight hundred and seventy-two, other than the usual deductions, or such other necessary deductions as shall from time to time be authorised or required by Her Majesty's regulations or Articles of War, or by statute twenty-six and twenty-seven Victoria, chapter sixty-five, section eight (Volunteer Act), or by Her Majesty's order signified by the Secretary of State for the War Department; and every paymaster or other officer who having received any officer's or soldier's pay shall unlawfully detain the same for the space of one month, or refuse to pay the same when it shall become due, according to the several rates and agreeably to the several regulations established by Her Majesty's orders, shall, upon proof thereof before a court-martial, be discharged

from his employment, and shall forfeit one hundred pounds, and the informer, if a soldier, shall, if he demand it, be discharged from any further service.

Suspending operation of certain Acts herein recited.

61. And whereas by petition of right in the third year of King Charles the First it is enacted and declared, that the people of the land are not by the laws to be burdened with the sojourning of soldiers against their wills; and by a clause in an Act of the Parliament of England, made in the thirty-first year of the reign of King Charles the Second, for granting a supply to His Majesty of two hundred and six thousand four hundred and sixty-two pounds seventeen shillings and threepence, for paying and disbanding the forces, it is declared and enacted that no officer, civil or military, nor other person whosoever, should thenceforth presume to place, quarter, or billet any soldier upon any subject or inhabitant of this realm, of any degree, quality, or profession whatsoever, without his consent, and that it shall be lawful for any subject or inhabitant to refuse to quarter any soldier, notwithstanding any warrant or billeting whatsoever: And whereas by an Act passed in the Parliament of Ireland in the sixth year of the reign of Queen Anne, chapter fourteen, section eight, intituled "An Act "to prevent the disorders that may happen by the marching "of soldiers, and providing carriages for the baggage of "soldiers on their march," it was enacted that no officer, soldier, or trooper in the army, nor the servant of any officer, nor any attendant on the train of artillery, nor any yeoman of the guard or battle-axes, nor any officer commanding the said yeomen, nor any servant of any such officer, should at any time thereafter have, receive, or be allowed any quarters in any part of Ireland, save only during such time or times as he or they should be on their march as in the same Act is before mentioned, or during such time as he or they should be and remain in some seaport town or other place in the neighbourhood of a seaport town in order to be transported, or during such time as there should be any commotion in any part of Ireland, by reason of which emergency the army, or any considerable part thereof, should be commanded to march from one part of Ireland to another: But forasmuch as there is and may be occasion for the marching and quartering of regiments, corps, troops, and companies in several parts of the United Kingdom of Great Britain and Ireland, the said several provisions of the said recited Acts shall be suspended and cease to be of any force or effect during the continuance of this Act.

6 Anne, c. 14. s. 8. (I.)

Certain requirements of 6 Anne, c. 14. (I.), as to billeting in Ireland, not now necessary.

62. And whereas by the eleventh section of the said Act of the sixth year of the reign of Queen Anne, chapter fourteen, it is provided and enacted, that no civil magistrate or constable should be obliged to find quarters for or give billets to more or other soldiers than those only whose true christian and

surnames should be delivered to him in writing under the hand of the officer desiring quarters or billets for such soldiers at the time such quarters or billets should be desired, and that all such names should be written together and delivered in one piece of paper, signed as aforesaid, and that the christian and surnames of every soldier to be quartered or billeted, together with the name of the person on whom he or they should be billeted or quartered, should be given in writing by the constable or civil officer billeting or quartering such soldier, and be contained in the billet given by such civil officer: And whereas it has been found inconvenient and difficult to comply with all the requirements of the said enactment: It shall not be necessary, so long as this Act shall continue in force, for any officer, upon the occasion of his requiring quarters or billets for any soldiers in Ireland, to deliver to the constable or other person whose duty it shall be to find or give the same any list of the names of the soldiers to be so quartered or billeted; and it shall not be necessary for the constable or other such person as aforesaid to set forth in any billet the name of any soldier to be billeted or quartered, but only the number of the soldiers, or the number of the soldiers and horses respectively, as the case may require, to be billeted or quartered on the person named in the billet, and to whom the same shall be addressed.

How and where troops may be billeted.

63. It shall be lawful for all constables of parishes and places, and other persons specified in this Act, in Great Britain and Ireland, and they are hereby required, to billet the officers and soldiers in Her Majesty's service, and out-pensioners when assembled as a local force by competent authority, and persons receiving pay in Her Majesty's army, and the horses belonging to Her Majesty's cavalry, and also all staff and field officers horses, and all bât and baggage horses belonging to any of Her Majesty's other forces, when on actual service, not exceeding for each officer the number for which forage is or shall be allowed by Her Majesty's regulations, in victualling houses and other houses specified in this Act (taking care in Ireland not to billet less than two men in one house, except only in case of billeting cavalry as specially provided); and they shall be received by the occupiers of the houses in which they are so billeted, and be furnished by such victuallers with proper accommodation in such houses, or if any victualler shall not have sufficient accommodation in the house upon which a soldier is billeted, then in some good and sufficient quarters to be provided by such victualler in the immediate neighbourhood, and in Great Britain shall also be furnished with diet and small beer, and in Great Britain and Ireland with stables, oats, hay, and straw for such horses as aforesaid, paying and allowing for the same the several rates herein-after provided; and at no time when troops are on a march shall any of them,

whether infantry or cavalry, be billeted above one mile from the place mentioned in the route, care being always taken that billets be made out for the less distant houses, in which suitable accommodation can be found, before making out billets for the more distant; and in all places where cavalry shall be billeted in pursuance of this Act, each man and his horse shall be billeted in one and the same house, except in case of necessity; and, except in case of necessity, one man at least shall be billeted where there shall be one or two horses, and two men at least where there shall be four horses, and so in proportion for a greater number; and in no case shall a man and his horse be billeted at a greater distance from each other than one hundred yards; and the constables are hereby required to billet all soldiers and their horses on their march, in the manner required by this Act, upon the occupiers of all houses within one mile of the place mentioned in the route, and whether they be in the same or in a different county, in like manner in every respect as if such houses were all locally situate within such place; provided that nothing herein contained shall be construed to extend to authorise any constable to billet soldiers out of the county to which such constable belongs when the constable of the adjoining county shall be present and shall undertake to billet the due proportion of men in such adjoining county; and no more billets shall at any time be ordered than there are effective soldiers and horses present to be billeted; all which billets, when made out by such constables, shall be delivered into the hands of the commanding officer present; and if any person shall find himself aggrieved by having an undue proportion of soldiers billeted in his house, and shall prefer his complaint, if against a constable or other person not being a justice, to one or more justices, and if against a justice then to two or more justices within whose jurisdiction such soldiers are billeted, such justices respectively shall have power to order such of the soldiers to be removed, and to be billeted upon other persons, as they shall see cause; and when any of Her Majesty's cavalry or any horses as aforesaid shall be billeted upon the occupiers of houses in which officers or soldiers may be quartered by virtue of this Act who shall have no stables, then and in such case, upon the written requisition of the commanding officer of the regiment, corps, troop, or detachment, the constable is hereby required to billet the men and their horses, or horses only, upon some other person or persons who have stables, and who are by this Act liable to have officers and soldiers billeted upon them; and upon complaint being made by the person or persons to whose house or stables the said men or horses shall have been so removed to two or more justices within whose jurisdiction such men or horses shall be so billeted, it shall be lawful for such justices to order a proper allowance to be paid by the person relieved to the persons receiving such men

and horses, or to be applied in furnishing the requisite accommodation; and commanding officers may exchange any man or horse billeted in any place with another man or horse billeted in the same place for the benefit of the service, provided the number of men and horses do not exceed the number at that time billeted on such houses respectively; and the constables are hereby required to billet such men and horses so exchanged accordingly; and it shall be lawful for any justice, at the request of any officer or non-commissioned officer commanding any soldiers requiring billets, to extend any routes or to enlarge the districts within which billets shall be required, in such manner as shall appear to be most convenient to the troops; provided that to prevent or punish all abuses in billeting soldiers, it shall be lawful for any justice within his jurisdiction, by warrant or order under his hand, to require any constable to give him an account in writing of the number of officers and soldiers who shall be quartered by such constables, together with the names of the persons upon whom such officers and soldiers are billeted, stating the street or place where such persons dwell, and the sign, if any, belonging to the houses: Provided always, that no officer shall be compelled or compellable to pay anything for his lodging where he shall be duly billeted.

Billeting the guards in and near Westminster.

64. The officers and soldiers of Her Majesty's Foot Guards shall be billeted within the city and liberties of Westminster and places adjacent, lying in the county of Middlesex (except the city of London) and in the county of Surrey, and in the borough of Southwark, in the same manner and under the same regulations as in other parts of England, in all cases for which particular provision is not made by this Act; and the high constable shall, on receipt of the order for billeting soldiers, deliver precepts to the several constables within their respective divisions, in pursuance of which the said constables shall billet such officers and soldiers equally and proportionably on the houses subjected thereto by this Act; and the said constables shall, at every general sessions of the peace to be holden for the said city and liberties, counties and borough respectively, make and deliver to the justices then in open session assembled, upon oath, which oath the said justices are hereby required to administer, lists, signed by them respectively, of the houses subject by this Act to receive officers and soldiers, together with the names and rank of all officers and soldiers billeted on each respectively, which lists shall remain with the respective clerks of the peace for the inspection of all persons without fee or reward; and such clerk shall forthwith from time to time deliver to any persons who shall require the same true copies of any such lists upon being paid twopence per sheet for the same, each sheet to contain at the least one hundred and fifty words.

65. No justice having or executing any military office or commission in any part of the United Kingdom shall, directly or indirectly, be concerned in the billeting or appointing quarters for any soldier in the regiment, corps, troop, or company under the immediate command of such justice, and all warrants, acts, and things made, done, and appointed by such justice for or concerning the same shall be void. Military officers not to act as justices in billeting.

66. The innholder or other person on whom any soldier is billeted in Great Britain shall, if required by such soldier, furnish him for every day of the march, and for a period not exceeding two days when halted at the intermediate place upon the march, and for the day of the arrival at the place of final destination, with one hot meal in each day, the meal to consist of such quantities of diet and small beer as may be fixed by Her Majesty's regulations, not exceeding one pound and a quarter of meat previous to being dressed, one pound of bread, one pound of potatoes or other vegetables, and two pints of small beer, and vinegar, salt, and pepper, and for such meal the innholder or other person furnishing the same shall be paid the sum of tenpence, and twopence halfpenny for a bed; and all innholders and other persons on whom soldiers may be billeted in Great Britain or Ireland, except when on the march in Great Britain and entitled to be furnished with the hot meal as aforesaid, shall furnish such soldiers with a bed and with candles, vinegar, and salt, and shall allow them the use of fire, and the necessary utensils for dressing and eating their meat, and shall be paid in consideration thereof the sum of fourpence per diem for each soldier; and the sum to be paid to the innholder or other person on whom any of the horses belonging to Her Majesty's forces shall be billeted in Great Britain or Ireland for ten pounds of oats, twelve pounds of hay, and eight pounds of straw, shall be one shilling and ninepence per diem for each horse; and every officer or non-commissioned officer commanding a regiment, detachment, or party shall, every four days, or before they shall quit their quarters if they shall not remain so long as four days, settle and discharge the just demands of all victuallers or other persons upon whom such officers, soldiers, or horses are billeted, out of the pay and subsistence of such officers and soldiers, before any part of the said pay or subsistence be distributed to them respectively; and if any such officer or non-commissioned officer shall not pay the same as aforesaid, then, upon complaint, and oath made thereof by any two witnesses before two justices of the peace for the county, riding, division, liberty, city, borough, or place where such quarters were situated, sitting in quarter or petty sessions, the Secretary of State for the War Department is hereby required (upon certificate of the justices before whom such oath was made of the sum due upon such accounts, and the persons to whom the Allowance to innkeepers.

same is owing,) to give orders to the agent of the regiment or corps to pay the sums due to such victuallers or other persons as aforesaid, and to charge the same against such officers; and in case any soldier be suddenly ordered to march, and the respective commanding officers or non-commissioned officers are not enabled to make payment of the sums due for the lodging or victualling of the men and stabling or forage for the horses, every such officer or non-commissioned officer shall, before his departure, make up the account with every person upon whom such soldier may have been billeted, and sign a certificate thereof; which account and certificate shall be transmitted by such officer or non-commissioned officer to the agent of the regiment or corps, who is hereby required to make immediate payment thereof, and to charge the same to the account of such officer or non-commissioned officer.

Interpretation of Act.

67. All powers and provisions relating to soldiers shall be construed to extend to non-commissioned officers, unless when otherwise provided; and all powers and provisions relating to justices shall be construed to extend to all magistrates authorised to act as such in their respective jurisdictions and to chief magistrates of exclusive local jurisdictions; and all the powers given to and regulations made for the conduct of constables in relation to the billeting of officers and soldiers, and all penalties and forfeitures for any neglect thereof, shall extend to all tithingmen, headboroughs, and such-like officers, and to all inspectors or other officers of police, and to high constables and other chief officers and magistrates of cities, towns, villages, hamlets, parishes, and places in England and Ireland, and to all justices of the peace, magistrates of burghs, commissioners of police, and other chief officers and magistrates of cities, towns, villages, parishes, and places in Scotland, who shall act in the execution of this Act in relation to billeting; and all powers and provisions for billeting officers and soldiers in victualling houses shall extend and apply to all inns, hotels, livery stables, alehouses, and to the houses of sellers of wine by retail, whether British or foreign, to be drunk in their own houses, or places thereunto belonging, and to all houses of persons selling brandy, spirits, strong waters, cider, or metheglin, by retail, in Great Britain and Ireland; and in Ireland, when there shall not be found sufficient room in such houses, then to billeting soldiers in such manner as has been heretofore customary: Provided that no officer or soldier shall be billeted in Great Britain in any private houses, or in any canteen held or occupied under the authority of the War Department, or upon persons who keep taverns only, being vintners of the City of London admitted to their freedom of the said company in right of patrimony or apprenticeship, notwithstanding such persons who keep such taverns only have taken out victualling licenses, nor in the house of any distiller kept for distilling

Powers and regulations as to billets.

Exemptions from billets.

brandy and strong waters, nor in the house of any shopkeeper whose principal dealing shall be more in other goods and merchandise than in brandy and strong waters, so as such distillers and shopkeepers do not permit tippling in such houses, nor in the house of residence in any part of the United Kingdom of any foreign consul duly accredited as such.

Supply of carriages

68. For the regular provision of carriages for Her Majesty's forces, and their baggage, in their marches in Great Britain and Ireland, all justices of the peace within their several jurisdictions, being duly required thereunto by an order from Her Majesty, or the general of her forces, or other person duly authorised in that behalf, shall, on production to them of such order, or a copy thereof, certified by the commanding officer, by some officer or non-commissioned officer of the regiment or corps so ordered to march, issue a warrant to any constable having authority to act in any place from, through, near, or to which the troop shall be ordered to march, (for each of which warrants the fee of one shilling only shall be paid,) requiring him to provide the carriages, horses, and oxen, and drivers therein mentioned, and allowing sufficient time to do the same, specifying the places from and to which the said carriages shall travel, and the distance between the places, for which distance only so specified payment shall be demanded, and which distance shall not, except in cases of pressing emergency, exceed a day's march prescribed in the order of route, and shall in no cases exceed twenty-five miles; and the constables receiving such warrants shall order such persons as they shall think proper, having carriages, to furnish the requisite supply, who are hereby required to furnish the same accordingly; and when sufficient carriages cannot be procured within the proper jurisdiction, any justice of the next adjoining jurisdiction shall, by a like course of proceeding, supply the deficiency; and in order that the burden of providing carriages may fall equally, and to prevent inconvenience arising from there being no justice near the place where troops may be quartered on the march, any justice residing nearest to such place may cause a list to be made out once in every year of all persons liable to furnish such carriages, and of the number and description of their said carriages, (which list shall at all seasonable hours be open to the inspection of the said persons,) and may by warrant under his hand authorise the constable within his jurisdiction to give orders to provide carriages, without any special warrant for that purpose, which orders shall be valid in all respects; and all orders for such carriages shall be made from such lists in regular rotation, as far as the same can be done.

Rates to be paid for carriages, and re-

69. In every case in which the whole distance for which any carriage shall be impressed shall be under one mile the rate of a full mile shall be paid; and the rates to be paid for

gulations relating thereto.

carriages impressed shall be, in Great Britain, for every mile which a waggon with four or more horses, or a wain with six oxen or four oxen and two horses, shall travel, one shilling; and for every mile any waggon with narrow wheels, or any cart with four horses, carrying not less than fifteen hundredweight, shall travel, ninepence; and for every mile any other cart or carriage with less than four horses, and not carrying fifteen hundredweight, shall travel, sixpence; and in Ireland, for every hundredweight loaded on any wheel carriage, one halfpenny per mile; and in Great Britain such further rates may be added, not exceeding a total addition per mile of fourpence, threepence, or twopence, to the respective rates of one shilling, ninepence, or sixpence, as may seem reasonable to the justices assembled at general sessions for their respective districts, or to the recorder at the sessions of the peace of any municipal city, borough, or town; and the order of such justices or recorder shall specify the average price of hay and oats at the nearest market town at the time of fixing such additional rates, the period for which the order shall be enforced not exceeding ten days beyond the next general sessions; and no such order shall be valid unless a copy thereof, signed by the presiding magistrate and one other justice, or by the recorder, shall be transmitted to the Secretary of State for the War Department within three days after the making thereof; and also in Great Britain when the day's march shall exceed fifteen miles the justice granting his warrant may fix a further reasonable compensation, not exceeding the usual rate of hire fixed by this Act; and when any additional rates or compensation shall be granted, the justice shall insert in his own hand in the warrant the amount thereof, and the date of the order of sessions, if fixed by sessions, and the warrant shall be given to the officer commanding as his voucher; and the officer or non-commissioned officer demanding carriages by virtue of the warrant of a justice shall, in Great Britain, pay the proper sums into the hands of the constables providing carriages, who shall give receipts for the same on unstamped paper; and in Ireland the officers or non-commissioned officers as aforesaid shall pay the proper sums to the owners or drivers of the carriages, and one third part of such payment shall be made before the carriage be loaded, and all the said payments in Ireland shall be made, if required, in the presence of a justice or constable; and no carriage shall be liable to carry more than thirty hundredweight in Great Britain, and in Ireland no car shall be liable to carry more than six hundredweight, and no dray more than twelve hundredweight; but the owner of such carriages in Ireland consenting to carry a greater weight shall be paid at the same rate for every hundredweight of the said excess; and the owners of such carriages in Ireland shall not be compelled to proceed, though with any less weight, under the sum

of threepence a mile for each car and sixpence a mile for each dray; and the loading of such carriages in Ireland shall be first weighed, if required, at the expense of the owner of the carriage, if the same can be done in a reasonable time, without hindrance to Her Majesty's service; provided that a cart with one or more horses, for which the furnisher shall receive ninepence a mile, shall be required to carry fifteen hundredweight at the least; and no penalties or forfeitures in any Act relating to highways or turnpike roads in the United Kingdom shall apply to the number of horses and oxen, or weight of loading of the aforesaid carriages, which shall not on that account be stopped or detained; and whenever it shall be necessary to impress carriages for the march of soldiers from Dublin, at least twenty-four hours notice of such march, and in case of emergency as long notice as the case will admit, shall be given to the Lord Mayor of Dublin, who shall summon a proportional number of cars and drays, at his discretion, out of the licensed cars and drays and other cars and drays within the county of the said city, and they shall by turns be employed on this duty at the prices and under the regulations herein-before mentioned; and no country cars, drays, or other carriages coming to markets in Ireland shall be detained or employed against the will of the owners in carrying the baggage of the army on any pretence whatsoever.

As to supply of carriages in cases of emergency, &c.

70. It shall be lawful for Her Majesty, or for the Lord Lieutenant or chief governor of Ireland, by her or their order, distinctly stating that a case of emergency doth exist, signified by the Secretary of State for the War Department, or, if in Ireland, by the Chief Secretary or Under Secretary, or the first clerk in the Military Department, to authorise any general or field officer commanding Her Majesty's forces in any district or place, or the chief acting agent for the supply of stores and provisions, by writing under his hand reciting such order of Her Majesty or Lord Lieutenant or chief governor aforesaid, to require all justices within their several jurisdictions in Great Britain and Ireland to issue their warrants for the provision, not only of waggons, wains, carts, and cars kept by or belonging to any person and for any use whatsoever, but also of saddle horses, coaches, post-chaises, chaises, and other four-wheeled carriages kept for hire, and of all horses kept to draw carriages licensed to carry passengers, and also of boats, barges, and other vessels used for the transport of any commodities whatsoever upon any canal or navigable river, as shall be mentioned in the said warrants, therein specifying the place and distance to which such carriages or vessels shall go; and on the production of such requisition, or a copy thereof certified by the commanding officer, to such justice, by any officer of the corps ordered to be conveyed, or by any officer of the War Department, such justice shall take all the same proceedings,

in regard to such additional supply so required on such emergency as he is by this Act required to take for the ordinary provision of carriages; and all provisions whatsoever of this Act as regards the procuring of the ordinary supply of carriages, and the duties of officers and non-commissioned officers, justices, constables, and owners of carriages in that behalf, shall be to all intents and purposes applicable for the providing and payment, according to the rates of posting or of hire usually paid for such other description of carriages or vessels so required on emergency, according to the length of the journey or voyage in each case, but making no allowance for post horse duty, or turnpike, canal, river, or lock tolls, which duty or tolls are hereby declared not to be demandable for such carriages and vessels while employed in such service or returning therefrom; and it shall be lawful to convey thereon, not only the baggage, provisions, and military stores of such regiment, corps, or detachment, but also the officers, soldiers, servants, women, children, and other persons of and belonging to the same.

Justices empowered to reimburse constables for sums expended by them.

71. It shall be lawful for the justices of the peace assembled at their quarter sessions to direct the treasurer to pay, without fee, out of the public stock of the county or riding, or if such public stock be insufficient then out of moneys which the said justices shall have power to raise for that purpose, in like manner as for county gaols and bridges, such reasonable sums as shall have been expended by the constables within their respective jurisdictions, for carriages and vessels, over and above what was or ought to have been paid by the officer requiring the same, regard being had to the season of the year and the condition of the ways by which such carriages and vessels are to pass; and in Scotland such justices shall direct such payments to be made out of the rogue money and assessments directed and authorised to be assessed and levied by an Act of the twentieth and twenty-first years of the reign of Her present Majesty, chapter seventy-two.

Routes in Ireland.

72. It shall be lawful for the Lord Lieutenant or other chief governor for the time being of Ireland to depute, by warrant under his hand and seal, some proper person to sign routes in cases of emergency, for the marching of any of Her Majesty's forces in Ireland, in the name of such Lord Lieutenant or chief governor.

73. All Her Majesty's officers and soldiers, on duty or on their march, and their horses and baggage, and all recruits marching by route, and all prisoners under military escort, and all enrolled pensioners in uniform when called out for training or in aid of the civil power, and all carriages and horses belonging to Her Majesty or employed in her service under the provisions of this Act, or in any of Her Majesty's

colonies, when conveying any such persons as aforesaid, or their baggage, or stores, or returning from conveying the same, shall be exempted from payment of any duties and tolls on embarking or disembarking from or upon any pier, wharf, quay, or landing place, or in passing along or over any turnpike or other roads or bridges otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or ordinance, order or direction of any colonial legislature or other authority in any of Her Majesty's colonies; provided that nothing herein contained shall exempt any boats, barges, or other vessels employed in conveying the said persons, horses, baggage, or stores along any canal from payment of tolls in like manner as other boats, barges, and vessels are liable thereto, except when employed in cases of emergency as herein-before enacted.

Ferries.

74. When any soldiers on service have occasion in their march by route to pass regular ferries in Scotland, the officer commanding may at his option pass over with his soldiers as passengers, and shall pay for himself and each soldier one half only of the ordinary rate payable by single persons, or may hire the ferry boat for himself and his party, debarring others for that time, and shall in all such cases pay only half the ordinary rate for such boat.

Marching money on discharge.

75. Every soldier enlisted in Great Britain or Ireland shall, when entitled to his discharge, if then serving abroad, be sent home, if he shall so require, free of expense, and shall be entitled to receive marching money from the place of his being landed (or, if discharged at home, shall receive marching money from the place of his discharge,) to the parish or place in which he shall have been originally enlisted, or at which he shall at the time of his discharge decide to take up his residence, such place not being at a greater distance from the place of his discharge than the place of his original enlistment: Provided that nothing in this section shall apply to soldiers appointed sergeant instructors, or attached for completion of service, to the reserve forces.

Ordinary course of criminal justice not to be interfered with.

Punishment of officers obstructing civil justice.

76. Nothing in this Act contained shall be construed to extend to exempt any officer or soldier from being proceeded against by the ordinary course of law, when accused of felony, or of misdemeanor, or of any crime or offence other than the misdemeanors and offences herein-before mentioned; and if any commanding officer shall neglect or refuse, on application being made to him for that purpose, to deliver over to the civil magistrate any officer or soldier under his command, or shall wilfully obstruct, neglect, or refuse to assist the officers of justice in apprehending any officer or soldier under his command, so accused as aforesaid, such commanding officer shall, upon conviction thereof in any of Her Majesty's superior

courts at Westminster, Dublin, or Edinburgh, or in any court of record in India, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any civil or military office or employment in the United Kingdom of Great Britain and Ireland or in Her Majesty's service; and a certificate of such conviction, containing the substance and effect of the indictment only, omitting the formal part, with the copy of the entry of the judgment of the court thereon, shall be transmitted to the judge advocate general in London.

Penalty for disobedience by agents.

77. For enforcing a prompt observance of the rules and orders for the due appropriation of the public funds applicable to army services, and in order that a true and regular account may be kept and rendered by the agents for the several corps, the said agents are hereby required to observe such orders as shall from time to time be given by Her Majesty under Her Sign Manual, or by the Secretary of State for the War Department, or by Her Majesty's Lord Lieutenant or chief governor of Ireland, or by the Lord Treasurer or the Commissioners of Her Majesty's Treasury; and if any person, being or having been an agent, shall refuse or neglect to comply with such orders in relation to his duty as agent, or shall unlawfully withhold or detain the pay of any officer or soldier for a longer period than the space of one month after the receipt thereof, he shall for the first offence forfeit the sum of one hundred pounds, and, if still an agent, for the second offence be discharged from his employment as an army agent, and be utterly disabled to have or hold such employment thereafter, or, if he have ceased to be an army agent, shall for the second and every succeeding offence forfeit the sum of two hundred pounds.

Penalty on trafficking in commissions.

78. Any person (except the Army Purchase Commissioners and persons acting under their authority by virtue of the provisions of the Regulation of the Forces Act, 1871) who shall negotiate, act as agent for, or otherwise aid or connive at the sale or purchase of any commission in Her Majesty's army shall forfeit for every such offence the sum of one hundred pounds; and any person who shall negotiate, act as agent for, or otherwise aid or connive at any exchange in respect of which any sum of money or other consideration exceeding the sum or consideration sanctioned by the military authorities shall be given or received shall forfeit for every such offence the sum of one hundred pounds.

Penalty for procuring false musters.

79. Every person, not having any military commission, who shall give or procure to be given any untrue certificate, whereby to excuse any soldier for his absence from any muster or any other service which he ought to attend or perform, or who shall directly or indirectly cause to be taken any money or gratuity for mustering any soldiers, or for signing any

muster rolls or duplicates thereof, shall forfeit for every such offence the sum of fifty pounds; and any person who shall falsely be mustered, or offer himself to be mustered, or lend or furnish any horse to be falsely mustered, shall, upon conviction before some justice of the peace residing near the place where such muster shall be made, forfeit for every such offence the sum of twenty pounds; and the informer, if he belongs to Her Majesty's service, shall, if he demand it, be forthwith discharged.

Penalty on unlawful recruiting.

80. Every person (except such person or persons as shall be authorised by beating order under the hand of the Secretary of State for the War Department) who shall cause to be advertised, posted, or dispersed bills for the purpose of procuring recruits or substitutes for the line, embodied militia, or Her Majesty's Indian forces, or shall open or keep any house, place of rendezvous, or office, or receive any person therein under such bill or advertisement, as connected with the recruiting service, or shall directly or indirectly interfere therewith, without permission in writing from the adjutant general or from the Secretary of State in Council of India, (as the case may be,) shall forfeit for every such offence a sum not exceeding twenty pounds.

Penalty for inducing soldiers to desert.

81. Any person who shall in any part of Her Majesty's dominions, or by any means whatsoever, directly or indirectly, procure any soldier to desert, or attempt to procure or persuade any soldier to desert, and any person who, knowing that any soldier is about to desert, shall aid or assist him in deserting, or, knowing any soldier to be a deserter, shall conceal such deserter, or aid or assist such deserter in concealing himself, or aid or assist in his rescue, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any two justices acting for the county, district, city, burgh, or place where any such offender shall at any time happen to be, be liable to be committed to the common gaol or house of correction, there to be imprisoned, with or without hard labour, for such term not exceeding six calendar months as the convicting justices shall think fit.

Penalty for forcible entry in pursuit of deserters without warrant.

82. Any officer or soldier who shall, in pursuit of any deserter, forcibly enter into or break open any dwelling house or outhouse, or shall give any order under which any dwelling house or outhouse shall be forcibly entered into or broken open, without a warrant from one or more justices of the peace, shall, on conviction thereof before two justices of the peace, forfeit a sum not exceeding twenty pounds.

Penalties on aiding escape or attempt to escape of prisoners, and on

83. If any person shall convey or cause to be conveyed into any military prison appointed to be a public prison under this Act any arms, tools, or instruments, or any mask or other disguise, in order to facilitate the escape of any prisoner, or

breach of prison regulations.

shall by any means whatever aid and assist any prisoner to escape or in attempting to escape from such prison, whether an escape be actually made or not, such person shall be deemed guilty of felony, and upon being convicted thereof shall be kept to penal servitude for any term not less than five years and not exceeding seven years, or be imprisoned, with or without hard labour, for any term not exceeding two years; and if any person shall bring or attempt to bring into such prison, in contravention of the existing rules thereof, any spirituous or fermented liquor, he shall for every such offence be liable to a penalty not exceeding twenty pounds and not less than ten pounds, or to be imprisoned, with or without hard labour, for any time not exceeding three calendar months; and if any person shall bring into such prison to or for any prisoner, without the knowledge of the governor, any money, clothing, provisions, tobacco, letters, papers, or any other articles not allowed by the rules of the prison to be in the possession of a prisoner, or shall throw into the said prison any such articles, or shall by desire of any prisoner, without the sanction of the governor, carry out of the prison any of the articles aforesaid, he shall for every such offence be liable to a penalty not exceeding five pounds, or to be imprisoned, either with or without hard labour, for any time not exceeding one calendar month; and if any person shall assault or violently resist any officer of such prison in the execution of his duty, or shall aid or excite any person so to assault or resist any such officer, he shall for every such offence be liable to a penalty not exceeding five pounds, or to be imprisoned, with or without hard labour, for any time not exceeding one calendar month, or, if the offender be a soldier already under sentence of imprisonment, he shall be liable for every such offence, upon conviction thereof by a board of not less than three of the visitors of the prison, to be imprisoned, either with or without hard labour, for any time not exceeding six calendar months, in addition to his original sentence, or to be subjected to corporal punishment not exceeding fifty lashes, or upon conviction thereof by a single visitor to be imprisoned, with or without hard labour, for any time not exceeding seventy-two hours, in addition to his original sentence, or to be subjected to corporal punishment not exceeding twenty-five lashes; or if such soldier shall, within forty-eight hours of the expiration of his original or of any additional sentence, be guilty of any offence against the rules of the prison, he may for every such offence on conviction thereof by a board or by a single visitor, be ordered to be kept in prison for a period not exceeding seventy-two hours either in a dark cell or in a light cell, and with or without hard labour, on a bread and water diet, or otherwise;

Certain provisions of Acts for regulating

and all the provisions of any Act or Acts of Parliament for the regulation or better ordering of gaols, houses of correction,

or prisons in Great Britain shall be deemed to apply to all military prisons so far as any such provision relates to such offences; and it shall be lawful for the governor, provost marshal, officer, or servant of any military prison to use and exercise all the powers and authorities given by any such Act to the gaoler, keeper, or turnkey of any prison, or to his or their assistants, to apprehend or to cause offenders to be apprehended in order to their being taken before a justice or justices of the peace; and all the powers and authorities given by any such Act to any justice or justices of the peace to convict offenders in any of the above cases, together with the forms of convictions contained in any such Act, shall be applicable to the like offences when committed in respect of military prisons; and all the provisions contained in any such Act relating to suits and actions prosecuted against any person for anything done in pursuance of such Act shall be deemed to apply to all suits and actions prosecuted against any person acting in pursuance of such Act in respect of military prisons. Gaols to apply to military prisons.

84. Any governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any military offender in the manner herein-before prescribed, shall forfeit for every such offence the sum of one hundred pounds. Penalty on keepers of prisons for refusing to confine, &c. military offenders.

85. Any person who shall knowingly detain, buy, exchange, or receive from any soldier or deserter or any other person acting for or on his behalf, on any pretence whatsoever, or who shall solicit or entice any soldier, or shall be employed by any soldier, knowing him to be such, to sell any arms, ammunition, medals for good conduct, or for distinguishment or other service, clothes, or military furniture, or any provisions, or any sheets or other articles used in barracks provided under barrack regulations, or regimental necessaries, or any article of forage provided for any horses belonging to Her Majesty's service, or who shall have in his or her possession or keeping any such arms, ammunition, medals, clothes, furniture, provisions, spirits, articles, necessaries, or forage, and shall not give a satisfactory account how he or she came by the same, or shall change the colour of any clothes as aforesaid, shall forfeit for every such offence any sum not exceeding twenty pounds, together with treble the value of all or any of the several articles of which such offender shall so become or be possessed; and if any person having been so convicted shall afterwards be guilty of any such offence, he shall for every such offence forfeit any sum not exceeding twenty pounds but not less than five pounds, and the treble value of all or any of the several articles of which such offender shall have so become possessed, and shall in addition to such forfeiture be committed to the common gaol or house of cor- Penalty on purchasing soldiers' necessaries, stores, &c.

rection, there to be imprisoned, with or without hard labour, for such term, not exceeding six calendar months, as the convicting justice or justices shall think fit; and upon any information against any person for a second or any subsequent offence, a copy of the former conviction, certified by the proper officer having the care or custody of such conviction, or any copy of the same proved to be a true copy, shall be sufficient evidence to prove such former conviction; and if any credible person shall prove on oath before a justice of the peace, or person exercising like authority according to the laws of the part of Her Majesty's dominions in which the offence shall be committed, a reasonable cause to suspect that any person has in his or her possession, or on his or her premises, any property of the description herein-before described, on or with respect to which any such offence shall have been committed, such justice may grant a warrant to search for such property as in the case of stolen goods; and if upon such search any such property shall be found, the same shall and may be seized by the officer charged with the execution of such warrant, who shall bring the offender in whose possession the same shall be found before the same or any other justice of the peace, to be dealt with according to law: Provided always, that it shall be lawful for the legislature of any of Her Majesty's foreign dominions, on the recommendation of the officer or officers for the time being administering the government thereof, but not otherwise, to make provision by law for reducing such pecuniary penalty, if not exceeding twenty pounds, to such amount as may to such legislature appear to be better adapted to the ability and pecuniary means of Her Majesty's subjects and others inhabiting the same, which reduced penalty shall be sued for and recovered in such and the same manner as the full penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the person or persons administering the government of any such foreign dominions as aforesaid, to exercise, in respect of the laws so to be passed as aforesaid, all such powers and authorities as are by law vested in Her Majesty or in any such officer or officers as aforesaid in respect of any other law made or enacted by any such legislature.

Penalties on civil subjects offending against the laws relating to billets.

86. If any constable or other person who by virtue of this Act shall be employed in billeting any officers or soldiers in any part of the United Kingdom shall presume to billet any such officer or soldier in any house not within the meaning of this Act, without the consent of the owner or occupier thereof; or shall neglect or refuse to billet any officer or soldier on duty, when thereunto required, in such manner as is by this Act directed, provided sufficient notice be given before the arrival of such troops; or shall receive, demand, or agree for any money or reward whatsoever, in order to excuse any person

from receiving such officer or soldier; or shall quarter any of the wives, children, men or maid servants of any officers or soldiers, in any such houses, against the consent of the occupiers; or shall neglect or refuse to execute such warrants of the justices as shall be directed to him for providing carriages, horses, or vessels, or shall demand more than the legal rates for the same; or if any person ordered by any constable in manner herein-before directed to provide carriages, horses, or vessels shall refuse or neglect to provide the same according to the orders of such constable, or shall do any act or thing by which the execution of any warrants for providing carriages, horses, or vessels shall be hindered; or if any constable shall neglect to deliver in to the justices at quarter sessions lists of officers and soldiers of the foot guards quartered according to the provisions of this Act, or shall wilfully cause to be delivered defective lists of the same; or if any person liable by this Act to have any officer or soldier quartered upon him shall refuse to receive and to afford proper accommodation or diet in the house in which such officer or soldier is quartered, and to furnish the several things directed to be furnished to officers and soldiers, or shall neglect or refuse to furnish good and sufficient stables, together with good and sufficient oats, hay, and straw, in Great Britain and Ireland for each horse, in such quantities and at such rates as herein-before provided; or if any innkeeper or victualler not having good and sufficient stables shall refuse to pay over to the person or persons who may provide stabling such allowance by way of compensation as shall be directed by any justice of the peace, or shall pay any sum or sums of money to any soldier on the march in lieu of furnishing in kind the diet and small beer to which such soldier is entitled; or if any toll collector shall demand and receive toll from any of Her Majesty's officers or soldiers, on duty or on their march, for themselves or for their horses, or from any recruits marching by route, or from any prisoners under military escort, or from any enrolled pensioners in uniform when called out for training or in aid of the civil power, or for any carriages or horses belonging to Her Majesty, or employed in her service under the provisions of this Act, or in any of Her Majesty's colonies, when conveying persons, or baggage, or stores, or returning therefrom, every such constable, victualler, toll-keeper, or other person respectively shall forfeit for every such offence, neglect, or refusal any sum not exceeding five pounds nor less than forty shillings; and if any person shall personate or represent himself to be a soldier or a recruit, with the view of fraudulently obtaining a billet, or money in lieu thereof, he shall for every such offence forfeit any sum not exceeding five pounds nor less than twenty shillings.

On toll collectors demanding toll from officers, soldiers, or for carriages;

and on persons personating soldiers, &c.

87. If any military officer shall take upon himself to quarter soldiers otherwise than is limited and allowed by this Act, or

Penalties on the military

offending against the laws relating to billets.

shall use or offer any menace or compulsion to or upon any mayor, constable, or other civil officer, tending to deter and discourage any of them from performing any part of their duty under this Act, or tending to induce any of them to do anything contrary to their said duty, such officer shall for every such offence (being thereof convicted before any two or more justices of the county by the oath of two credible witnesses) be deemed and taken to be thereupon cashiered, and shall be utterly disabled to hold any military employment in Her Majesty's service; provided that a certificate of such conviction shall be transmitted by one of the said justices to the Judge Advocate in London, who is hereby required to certify the same to the Commander-in-Chief and Secretary of State for the War Department, and that the said conviction be affirmed at some quarter sessions of the peace of the said county held next after the expiration of three months after such certificate of the justice shall have been transmitted as aforesaid; and if any military officer shall take, or knowingly suffer to be taken, from any person, any money or reward for excusing the quartering of officers or soldiers, or shall billet any of the wives, children, men or maid servants of any officer or soldier, in any house, against the consent of the occupier, he shall, upon being convicted thereof before a general court-martial, be cashiered; and if any officer shall constrain any carriage to travel beyond the distance specified in the justice's warrant, or shall not discharge the same in due time for their return home on the same day, if it be practicable, except in the case of emergency for which the justice shall have given license, or shall compel the driver of any carriage to take up any soldier or servant (except such as are sick) or any woman to ride therein, except in the cases of emergency as aforesaid, or shall force any constable, by threatening words, to provide saddle horses for himself or servants, or shall force horses from their owners, or in Ireland shall force the owner to take any loading until the same shall be first duly weighed, if the same can be done within reasonable time, or shall, contrary to the will of the owner or his servant, permit any person whatsoever to put any greater load upon any carriage than is directed by this Act, such officer shall forfeit for every offence any sum not exceeding five pounds nor less than forty shillings.

Penalty on killing game without leave.

88. For the better preservation of game and fish in or near places where any officers shall at any time be quartered, be it enacted, that every officer who shall, without leave in writing from the person or persons entitled to grant such leave, take, kill, or destroy any game or fish in the United Kingdom of Great Britain and Ireland, shall for every such offence forfeit the sum of five pounds.

Form of actions at law.

89. Any action which shall be brought against any person for anything to be done in pursuance of this Act shall be

brought within six calendar months after the doing thereof, and it shall be lawful for every such person to plead thereunto the general issue Not Guilty, and to give all special matter in evidence to the jury; and if the verdict shall be for the defendant in any such action, or the plaintiff therein become nonsuited, or suffer any discontinuance thereof, or if in Scotland such court shall see fit to assoilzie the defendant or dismiss the complaint, the court in which the said matter shall be tried shall allow unto the defendant treble costs, for which the said defendant shall have the like remedy as in other cases where costs are by law given to defendants; and every action against any person for anything done in pursuance of this Act, or against any member or minister of a court-martial in respect of any sentence of such court, or of anything done by virtue or in pursuance of such sentence, shall be brought in some one of the courts of record at Westminster, or in Dublin, or in India, or in the Court of Session in Scotland, and in no other court whatsoever.

Recovery of penalties.

90. All offences for which any penalties and forfeitures are by this Act imposed not exceeding twenty pounds, over and above any forfeiture of value or treble value, shall and may be determined, and such penalties and forfeitures and forfeiture of value or treble value recovered, in every part of the United Kingdom, by and before one or more justice or justices of the peace, under the provisions of an Act passed in the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, intituled "An Act to facilitate the performance of the duties "of Justices of the Peace out of Sessions, within England and "Wales, with respect to summary convictions and orders:" Provided always, that in all cases in which there shall not be sufficient goods whereon any penalty or forfeiture can be levied, the offender may be committed and imprisoned for any time not exceeding six calendar months; which said recited Act shall be used and applied, in Scotland and in Ireland, for the recovery of all such penalties and forfeitures, as fully to all intents as if the said recited Act had extended to Scotland and Ireland, anything in the said recited Act, or in an Act passed in the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to "consolidate and amend the Acts regulating the proceedings "at Petty Sessions, and the duties of Justices of the Peace "out of Quarter Sessions, in Ireland," to the contrary notwithstanding; and all such offences committed in the British Isles or in any of Her Majesty's dominions beyond the seas may be determined, and the penalties and forfeitures and forfeiture of value or treble value recovered, before any justices of the peace or persons exercising like authority according to the laws of the part of Her Majesty's dominions in which the offence shall be committed; and all penalties and forfeitures

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

by this Act imposed exceeding twenty pounds shall be recovered by action in some of the courts of record at Westminster, or in Dublin, or in India, or in the Court of Session in Scotland, and in no other court in the United Kingdom and may be recovered in the British Isles, or in any other parts of Her Majesty's dominions, in any of the royal or superior courts of such Isles or other parts of Her Majesty's dominions.

Appropriation of penalties.

91. One moiety of every penalty, not including any treble value of any articles, adjudged or recovered under the provisions of this Act, shall go to the person who shall inform or sue for the same, and the remainder of the penalty, together with the treble value of any articles, or, where the offence shall be proved by the person who shall inform, the whole of the penalty, shall be paid, in the United Kingdom, to the paymaster of the London recruiting district, St. George's Barracks, London, and in India to the military secretary of the government of the presidency to which the court by whom the penalty shall be adjudicated shall be subject, and elsewhere in Her Majesty's dominions to the local military accountant, to be at the disposal of the Secretary of State for the War Department, anything in an Act passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act to provide for the regulation of Municipal "Corporations in England and Wales," or in any other Act or Acts to the contrary notwithstanding. Every justice or court adjudging any penalty under this Act shall report the same immediately, if in the United Kingdom, to the said Secretary of State, if in India to the said military secretary, and if elsewhere in Her Majesty's dominions to the general or other officer commanding at the station.

5 & 6 W. 4. c. 76.

Mode of recording a soldier's settlement.

92. The Secretary of State for the War Department may, if he think proper, cause any soldier on his discharge, and his wife or child, if occasion require, either with or without him, to be sent to the parish in which on his attestation as a recruit he stated himself to have been born, and if delivered at the workhouse of that parish, or of the union comprising such parish, he shall then be received therein by the master or other proper officer thereof; but any justice in the United Kingdom within whose jurisdiction any soldier in Her Majesty's army, or on the permanent staff of the militia, having a wife or child, shall be billeted, may summon such soldier before him in the place where he is billeted, (which summons he is hereby directed to obey,) and take his examination in writing, upon oath, touching the place of his last legal settlement, and such justice shall give an attested copy of such examination to the person examined, to be by him delivered to his commanding officer, to be produced when required; which said examination and such attested copy thereof shall be at any time admitted

as good and legal evidence of such last legal settlement before any justices or at any general or quarter sessions, although such soldier be dead or absent from the kingdom; provided that in case any soldier shall be again summoned to make oath as aforesaid, then, on such examination or such attested copy thereof being produced by him or by any other person on his behalf, such soldier shall not be obliged to take any other oath with regard to his legal settlement, but shall leave a copy of such examination, or a copy of such attested copy of examination, if required.

Licenses of canteens.

93. When any person shall hold any canteen under proper authority of the War Department, it shall be lawful for any two justices within their respective jurisdictions to grant or transfer any beer, wine, or spirit license to such persons, without regard to time of year or to the notices or certificates required by any Act in respect of such licenses; and the Commissioners of Excise, or their proper officers within their respective districts, shall also grant such licenses as aforesaid; and such persons so holding canteens, and having such licenses, may sell therein victuals and exciseable liquors, as empowered by such excise license, without being subject to any penalty or forfeiture.

Attestation of accounts.

94. All muster rolls and accounts and pay and pension lists which are required to be verified by declaration shall be so verified and attested free of stamp duty, and without fee or reward paid for such declaration or attestation.

Commissaries, &c. to attest their accounts.

95. All commissaries, regimental paymasters, and all other accountants for military services, upon making up their accounts, and all commissaries upon returning from any foreign service, shall severally make the respective declarations described in the schedule to this Act annexed; which declarations, if made in any part of the United Kingdom, shall be made before some justice, or other person authorised to administer oaths and declarations, and if made on foreign service shall be made before the officer commanding in chief, or the second in command, or the quartermaster or deputy quartermaster general or any assistant quartermaster general of the army, who shall respectively have power to administer and receive the same.

Administration of oaths.

Perjury.

96. All oaths and declarations which are authorised and required by this Act may be administered (unless where otherwise provided) by any justice of the peace, or other person having authority to administer oaths and declarations; and any person taking a false oath or declaration where an oath or declaration is authorised or required by this Act shall be deemed guilty of wilful and corrupt perjury, or of wilfully making a false declaration, and being thereof duly convicted shall be liable to such pains and penalties as by law any

person convicted of wilful and corrupt perjury is subject and liable to; and every commissioned officer convicted before a general court-martial of perjury, or of wilfully making a false declaration, shall be cashiered, and every soldier or other person amenable to the provisions of this Act found guilty thereof by a general, district, or garrison court-martial shall be punished at the discretion of such court. In India, in all cases where any oath is hereby required to be taken, or any person is hereby required to be sworn, a solemn declaration or affirmation may be substituted, if by the laws for the time being in force in India such declaration or affirmation would be allowed to be substituted in the place of an oath, in case the party were about to depose as a witness in a civil action in any of the supreme courts at the presidencies; and any person wilfully and knowingly giving false testimony on oath or solemn declaration or affirmation in any case wherein such oath or solemn declaration or affirmation shall have been made for the purpose of this Act, or any proceedings under this Act, shall be deemed guilty of wilful and corrupt perjury, and being duly convicted thereof before a court-martial or otherwise, shall be liable to such pains and penalties as by any law in force in England, or by any law in force in India, any persons convicted of wilful and corrupt perjury are subject and liable to.

Offences against former Mutiny Acts and Articles of War.

97. All crimes and offences which have been committed against any former Act for punishing mutiny and desertion, and for the better payment of the army and their quarters, or against any Act for punishing mutiny and desertion of officers and soldiers in the service of the East India Company, or against any of the Articles of War made and established by virtue of either of the same, may, during the continuance of this Act, be tried and punished in like manner as if they had been committed against this Act; and every warrant for holding any court-martial under any such former Act shall remain in full force, and all proceedings of courts-martial convened and held under any such warrant shall be continued, notwithstanding the expiration of such Act: Provided always, that no person shall be liable to be tried or punished for any offence against any of the said Acts or Articles of War which shall appear to have been committed more than three years before the date of the warrant for such trial, unless the person accused, by reason of his having absented himself, or of some other manifest impediment, shall not have been amenable to justice within that period, in which case such person shall be liable to be tried at any time not exceeding two years after the impediment shall have ceased.

Officers and soldiers to conform to

98. It shall be the duty of all officers and soldiers to observe and conform to the provisions contained in "The Regimental "Debts Act, 1863," and in the regulations for the better

execution of the purposes of the said Act prescribed from time to time by warrant under the Royal Sign Manual. 26 & 27 Vict. c. 57., &c.

Where troops are serving beyond the jurisdiction of the courts of requests, &c., actions of debt not exceeding 400 rupees to be cognizable by a military court.

99. In all places in India where any body of Her Majesty's forces may be serving situate beyond the jurisdiction of any court of small causes established by or under the authority of the Governor General of India in Council, actions of debt and all personal actions against officers or against persons licensed to act as sutlers, or other persons amenable to the provisions of this Act not being soldiers, shall be cognizable before a court of requests composed of military officers, and not elsewhere, provided the value in question shall not exceed four hundred rupees, and that the defendant was a person of the above description when the cause of action arose, which court the commanding officer of any camp, garrison, cantonment, or military post is hereby authorised and empowered to convene. Whenever owing to paucity of officers, or to any other cause, a court of requests cannot conveniently be held at the station where the defendant or defendants may be, it shall be lawful for the officer commanding the division or district to authorise the assembly of a court by the officer commanding at the nearest place where such court can be formed. Courts of requests shall in all practicable cases consist of five commissioned officers, and in no instance of less than three, and the president thereof shall in all practicable cases be a field officer, and in no case be under the rank of a captain, and every member shall have served five years as a commissioned officer; and the president and members assisting at any such court, before any proceedings be had before it, shall take the following oath, which oath shall be administered by the president of the court to the other members thereof, and to the president by any member having first taken the oath; (that is to say,)

'I swear, that I will duly administer
'justice according to the evidence in the matters that shall
'be brought before me. So help me GOD.'

And all witnesses before any such court shall be examined in the same manner as in the case of a trial by courts-martial. All actions of debt and personal actions against persons amenable to this Act within the jurisdiction of any court of small causes shall be cognizable by such court to the extent of its powers; and all such actions where the amount sued for exceeds four hundred rupees shall be cognizable by a civil court or court of small causes only; and it shall be competent for any civil court or court of small causes, or for any military court of requests held in lieu thereof under the authority of this section, upon finding or awarding any debt or damage, either to award execution thereof generally, or to direct specially that the whole or any part thereof shall be stopped and paid over to the plaintiff out of any part not exceeding one half of any pay or allowance, or out of any other public

money which may respectively be coming to the defendant in the current or any future month or months, or to direct the same to be so paid by instalments. In regard to awards of execution general civil courts and courts of small causes shall proceed in accordance with the rules of procedure for such courts in India; and in all cases where execution shall be awarded generally by a military court of requests, the debt, if not paid forthwith, shall be levied by seizure and public sale of such of the defendant's goods and property as may be found within the camp, garrison, cantonment, or military post, under a written order of the commanding officer, grounded on the judgment of the court, and all orders of such commanding officer as to the manner of such sale, or the person by whom the same shall be made, or otherwise respecting the same, shall be valid and binding; and any goods and property of the defendant found within the limits of the camp, garrison, cantonment, or military post to which the defendant shall belong at any subsequent time shall be liable to be seized and sold in like manner in satisfaction of any remainder of such debt or damages; and if any question shall arise whether any such effects or property are liable to be taken in execution as aforesaid, the decision and order of the said commanding officer shall be final and conclusive with respect to the same, and if sufficient goods shall not be found within the limits of the camp, garrison, cantonment, or military post, then any public money or any part not exceeding one half of the pay or allowances accruing to the defendant shall be stopped in liquidation of such debt or damages; and if such defendant shall not receive pay as an officer or from any public department, but be a sutler, servant, or follower, he may be arrested by like order of the commanding officer, and imprisoned in some convenient place within the military boundaries for any period not exceeding two months, unless the debt be sooner paid; and the said commanding officer shall not, nor shall any person acting on his orders in respect of the matters aforesaid, incur any liability to any person or persons whomsoever for any act done by him in pursuance of the provisions aforesaid; and in cases where the said court shall direct specially that the whole or any part of the debt or damages shall be stopped and paid out of part of any pay and allowances, or out of any public money, the same shall be stopped and paid accordingly in conformity with direction: Provided always, that nothing herein-before contained shall enable any such action as aforesaid to be brought in a military court of requests by any officer or soldier against any officer: Provided also, that the articles of military equipment of any defendant shall not be deemed "goods and property" under this section.

Provisions relating to

100. The government of any of the presidencies in India may suspend the proceedings of any court-martial held in

India on any officer or soldier belonging to Her Majesty's Indian forces within such presidencies respectively; and if any officer belonging to Her Majesty's Indian forces shall think himself wronged by the officer commanding the regiment, and shall upon due application made to him not receive the redress to which he may consider himself entitled, he may complain to his commander-in-chief in order to obtain justice, who is hereby required to examine into such complaint, and thereupon, either by himself or by his adjutant general, to make his report to the government of the presidency to which such officer belongs, in order to receive the further directions of such government.

courts-martial on officers and soldiers of Her Majesty's Indian forces.

101. Any officer or soldier, or other person subject to this Act, who shall be serving in the territories of any foreign state in India or in any country in India under the protection of Her Majesty, or at any place in Her Majesty's dominions in India (other than Prince of Wales Island, Singapore, or Malacca), at a distance of upwards of one hundred and twenty miles from the presidencies of Fort William, Fort St. George, and Bombay respectively, and who shall be accused of having committed any offence which, if committed in England, would be punishable by the criminal law there, may, if the same be also punishable under the Indian penal code for the time being, be tried by a general court-martial to be appointed by the general or other officer commanding in chief in such place for the time being, and if found guilty, shall be liable to be sentenced by such court-martial to suffer such punishment as may legally be awarded by any of Her Majesty's courts of criminal jurisdiction within Her Majesty's dominions of India in respect of a like offence committed within the jurisdiction of such last-mentioned court; but no sentence of a general court-martial for any such offence shall be carried into execution until the same shall have been duly confirmed; and it shall be lawful for such general or other officer commanding in chief as aforesaid to confirm the sentence of any such general court-martial; and such general or other officer as aforesaid may, if he shall think fit, suspend, mitigate, or remit the sentence; or, in the case of a sentence of penal servitude, may commute the same to imprisonment, with or without hard labour, for such period as to him shall seem fit: Provided always, that in all cases wherein a sentence of death or penal servitude shall have been awarded by any such general court-martial held for the trial of a commissioned officer, or where a sentence of death shall have been awarded by any such general court-martial held for the trial of any person subject to this Act other than a commissioned officer, such sentence shall not be carried into execution until it shall have been duly approved by the Governor General in Council, or Governor in Council of the presidency in the territories subordinate to which the

As to trial of officers and soldiers serving in India.

offender shall have been tried: Provided also, that any person who may have been so tried as aforesaid shall not be tried for the same offence by any other court whatsoever.

Duration of this Act.

102. This Act shall be and continue in force within Great Britain from the twenty-fifth day of April one thousand eight hundred and seventy-two inclusive until the twenty-fifth day of April one thousand eight hundred and seventy-three; and shall be and continue in force within Ireland, and in Jersey, Guernsey, Alderney, Sark, and Isle of Man, and the islands thereto belonging, from the first day of May one thousand eight hundred and seventy-two inclusive until the first day of May one thousand eight hundred and seventy-three; and shall be and continue in force within the garrison of Gibraltar, the Mediterranean, and in Spain and Portugal, from the first day of August one thousand eight hundred and seventy-two inclusive, until the first day of August one thousand eight hundred and seventy-three; and shall be and continue in force in all other parts of Europe where Her Majesty's forces may be serving, and in the West Indies and America, from the first day of September one thousand eight hundred and seventy-two inclusive until the first day of September one thousand eight hundred and seventy-three; and shall be and continue in force in India, and within the Cape of Good Hope, the Isle of France or Mauritius and its dependencies, Saint Helena, and the settlements on the western coast of Africa, from the first day of January one thousand eight hundred and seventy-three inclusive until the first day of January one thousand eight hundred and seventy-four; and shall be and continue in force within British Columbia and Vancouver's Island from the date of the promulgation thereof in general orders therein inclusive until the first day of January one thousand eight hundred and seventy-four; and shall be and continue in force in all other places from the first day of February one thousand eight hundred and seventy-four inclusive until the first day of February one thousand eight hundred and seventy-five: Provided always, that this Act shall, from and after the receipt and promulgation thereof in general orders in any part of Her Majesty's dominions or elsewhere beyond the seas, become and be in full force, anything herein stated to the contrary notwithstanding.

Interpretation.

103. The words Commander-in-Chief in this Act shall be held to include the field marshal or other officer commanding in chief Her Majesty's forces for the time being.

Amendment of Army Enlistment Act, 1870.

104. The sixth section of the Army Enlistment Act, 1870, shall be amended as follows; that is to say,

The Secretary of State may, from time to time, by any general or special regulation permit recruits to be enlisted for particular regiments or corps, and in such case they shall be

attached to such regiment or "corps"; and the word "corps" shall in this Act, and in the Army Enlistment Act, 1870, as to future enlistments, include a brigade constituted of two or more regiments associated by general order or royal warrant for the purposes of enlistment or service.

Militia may be attached to regular forces.

105. Her Majesty may, by order of one of Her Principal Secretaries of State, and subject to such conditions as may be determined by him, attach to any corps of the army in the United Kingdom any regiment or regiments of militia, and the officers, non-commissioned officers, and men (including the permanent staff) of any such regiment or regiments so attached shall be deemed for all purposes to form part of the corps to which they are attached: Provided that no person belonging to the militia shall be required to serve for a longer period, or in any other country, than that during and in which he might have been required to serve, or shall be liable to any greater punishment than that to which he might have been subjected, if this Act had not passed.

Yeomanry or volunteers may be attached to regular forces.

106. Her Majesty may, by order of one of Her Principal Secretaries of State, and subject to such conditions as may be determined by him, attach to any corps of the army in the United Kingdom any corps of yeomanry or volunteers, and the officers, non-commissioned officers, and men (including the permanent staff) of any corps so attached shall be deemed for all purposes to form part of the corps of the army to which they are attached: Provided that no person belonging to the yeomanry or volunteers shall be required to serve in any other manner than that in which he might have been required to serve, or shall be liable to any greater punishment than that to which he might have been subjected if this Act had not passed.

SCHEDULES referred to by the foregoing Act.

FORM of OATH to be taken by a MASTER whose APPRENTICE has absconded.

I of do make oath, that I am by trade a and that was bound to serve as an apprentice to me in the said trade, by indenture dated the day of , for the term of years; and that the said did on or about the day of abscond and quit my service

without my consent; and that to the best of my knowledge and belief the said is aged about years. Witness my hand at the day of one thousand eight hundred and

Sworn before me at this day of one thousand eight hundred and

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FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an APPRENTICE.

to wit. } I one of Her Majesty's justices of the peace of certify, that of came before me at the day of one thousand eight hundred and , and made oath that he was by trade a , and that was bound to serve as an apprentice to him in the said trade, by indenture dated the day of , for the term of years; and that the said apprentice did on or about the day of abscond and quit the service of the said without his consent, and that to the best of his knowledge and belief the said apprentice is aged about years.

FORM of OATH to be taken by a MASTER whose indentured LABOURER in any of Her Majesty's colonies or possessions has absconded.

I of do make oath, that was bound to me to serve as an indentured labourer by indenture dated the day of for the term of years, and that the said did on or about the day of abscond and quit my service without my consent.

Witness, *&c.* [*as for apprentice.*]

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an indentured LABOURER.

to wit. } I one of Her Majesty's justices of the peace of certify, that of came before me at the day of and made oath that was bound to serve as an indentured labourer to him by indenture dated the day of for the term of years, and that the said indentured labourer did on or about the day of abscond and quit the service of the said without his consent.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do solemnly and sincerely declare, that I have not applied any moneys or stores or supplies under my care or distribution to my own use, or to the private use of any other person by way of loan to such person or otherwise, or in any manner applied them, or knowingly permitted them to be applied, to any other than public purposes, according to the duty of my office.

Declared before me by the within-named this day of .

Justice of the Peace of
or *commander-in-chief*, or *second in command, et cætera, the army serving in et cætera* [*as the case may be*].

FORM of DECLARATION of ATTESTATION of a PAYMASTER'S ACCOUNTS.

I do solemnly and sincerely declare, that the foregoing pay list of the regiment of , for the period ended 187 , contains charges of pay for only such non-commissioned officers, drummers, fifers, buglers, and privates as were effective and entitled to pay during, and regularly mustered at, the periods set against their names; that all those men who were not present at the respective musters taken by me on the , the , and the have the true reasons of their absence stated against their names; and that every absence affecting the pay or allowances of such men which occurred between the respective musters is properly accounted for.

Also, that the list of commissioned officers prefixed to the said pay list contains a true and just statement of the names of all the commissioned officers who have been effective and entitled to pay as belonging to the said regiment for the periods therein set down against their respective names; also, that all the remarks opposite to their names on the muster roll have been correctly copied therein; and that the sum debited in the general state of this pay list for the pay of officers has been actually received by me and paid to them respectively.

Also, that the whole of the sums debited in this pay list and account, amounting to , have been actually and bonâ fide disbursed by me in conformity with the established regulations, and that the total sum received, drawn for, or required to be remitted for the several services therein charged, including every receipt whatever, for which I am required to give credit in these accounts, is .

Also, that the statement at the foot of this page contains a full and correct list of all abstracts of examination, and of all decisions on

abstracts of examination, of the pay list of this regiment received between the of 187 (the date of the last pay list transmitted to the War Office being that for the period ended the 187) and the of 187 , the date of this pay list.

Also, that the total amount of the sums disallowed in the said decisions is credited in this pay list, in conformity with article 21 of the explanatory directions, dated the 1st July 1848.

Also, that to the best of my knowledge and belief both my sureties are now living; that the property of each is at least double that for which he is surety; and that they respectively reside at the places under mentioned.

Names of sureties.	Places of residence.
_____	_____
_____	_____

_____ *Paymaster.*

Declared and subscribed before me, at this day of 187 . } _____ *Justice of the Peace for* _____.

FORM of DECLARATION of ATTESTATION of the ACCOUNTS of a CONTROL PAYMASTER.

I HEREBY solemnly and sincerely declare, that this account, comprised in folios, is just and true, according to the best of my knowledge, information, and belief; and I make this declaration, conscientiously believing the same to be true.

_____ *Control Paymaster.*

Declared before me, at this day of 18 . } _____ *Justice of the Peace for* _____.

No.

Description Return of who was apprehended [*or* "surrendered himself," *as the case may be*] on the day of and was committed to confinement at on the day of as a deserter from [*insert regiment or corps*].

Age - - - - - -		
Height - - - - - -	Feet.	Inches.
Complexion - - - - -		
Hair - - - - - -		
Eyes - - - - - -		
Marks - - - - - -		
Probable date of enlistment, and where -		
Probable date of desertion, and from what place - - - -		
* Name and occupation and address of the person by whom or through whose means the deserter was apprehended and secured - -		
* Particulars in the evidence on which the prisoner is committed, and showing whether he surrendered or was apprehended, and in what manner, and upon what grounds -		

* It is important for the public service, and for the interest of the deserter, that this part of the return should be accurately filled up, and the details should be inserted by the magistrate in his own handwriting, or, under his direction, by his clerk.

I do hereby certify, that the prisoner has been duly examined before me as to the circumstance herein stated, and has declared in my presence that he † a deserter from the above-mentioned corps.

——— *Signature and address of magistrate.*

——— *Signature of prisoner.*

——— *Signature of informant.*

† Insert "is" or "is not," as the case may be.

I certify, that I have inspected the prisoner, and consider him ‡ for military service.

——— *Signature of military medical officer, or of* § *private medical practitioner.*

‡ Insert "fit" or "unfit," as the case may be; and, if unfit, state the cause of unfitness.

§ No fee will be allowed to a private medical practitioner where a military medical officer is stationed, unless it is shown that his services were not available.

CHAPTER 4.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [23d April 1872.]

WHEREAS it is judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in Her Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid: And whereas the said forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or merchant ships or vessels, or ships or vessels of Her Majesty, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of Her Majesty's forces by sea: And whereas no man can be forejudged of life or limb or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers, and according to the known and established laws of this realm; yet nevertheless it being requisite for the retaining of such forces in their duty that an exact discipline be observed, and that marines who shall mutiny or stir up sedition, or shall desert Her Majesty's service, or be guilty of any other crime or offence in breach of or to the prejudice of good order and discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to Lord High Admiral, &c. to make Articles for the punishment of mutiny, desertion, &c.

1. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral aforesaid, from time to time to make, ordain, alter, and establish rules and Articles of War, under the hand of the said Lord High Admiral, or under the hands of any two or more of the said Commissioners, for the better government of Her Majesty's Royal Marine forces, and for the punishment of mutiny, desertion, immorality, breach of discipline, misbehaviour, neglect of duty, and any other offence or misconduct of which they shall be guilty, in any place on shore or afloat in or out of Her Majesty's dominions, or at any time when or under any circumstances in which they shall not be amenable to the laws for the government of Her Majesty's ships, vessels, and forces by sea, and for regulating the proceedings of courts-martial, which rules and articles shall be

judicially taken notice of by all judges and in all courts whatsoever; and copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the time being (certified under his hand) to the judges of Her Majesty's superior courts at Westminster, Dublin, and Edinburgh respectively, and also to the governors of Her Majesty's dominions abroad; provided that no person within the United Kingdom of Great Britain and Ireland or within the British Isles shall by such Articles of War be subject to suffer any punishment extending to life or limb, or to be kept in penal servitude, except for crimes which are by this Act expressly made liable to such punishment as aforesaid, or shall be subject, with reference to any crimes made punishable by this Act, to be punished in any manner which may be inconsistent with the provisions of this Act.

As to offences against former Mutiny Acts and Articles of War.

2. All crimes and offences committed against any former Act made for the regulation of the Royal Marine forces while on shore, or against any of the rules, regulations, or Articles of War made and established by virtue of the same, may, during the continuance of this Act, be tried, inquired of, and punished in like manner as if they had been committed against this Act; and every warrant for holding any court-martial under any former Act shall remain in full force notwithstanding the expiration of such Act; and all proceedings of any court-martial upon any trial begun under the authority of such former Act shall not be discontinued by the expiration of the same: Provided always, that no person shall be liable to be tried and punished for any offence against any of the said Acts or Articles of War which shall appear to have been committed more than three years before the date of the commission or warrant for such trial, unless the person accused, by reason of his having absented himself, or of some other manifest impediment, shall not have been amenable to justice within that period, in which case such person shall be liable to be tried at any time not exceeding two years after the impediment shall have ceased; and provided also, that if any officer or marine in any place beyond the seas shall commit any of the offences punishable by court-martial under this Act, and shall escape and come or be brought into this realm before he be tried for the same, he shall, when apprehended, he tried for the same as if such offence had been committed within this realm.

Limitation as to time.

Provisions of this Act to extend to Jersey, &c.

3. This Act shall extend to the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the islands thereto belonging, as to the provisions herein contained for enlisting of recruits, whether minors or of full age, and swearing and attesting such recruits, and for mustering and paying, and to the provisions for trial and punishment of officers and marines who shall be charged with mutiny and desertion or any other of the offences

which are by this Act declared to be punishable by the sentence of a court-martial, and also to the provisions which relate to the punishment of persons who shall conceal deserters, or shall knowingly buy, exchange, or otherwise receive any arms, medals for good conduct or for distinguished or other service, clothes, military furniture, or regimental necessaries from any marine or deserter, or who shall cause the colour of any such clothes to be changed; and also to the provisions for exempting marines from being taken out of Her Majesty's service for not supporting or for leaving chargeable to any parish any wife or child or children, or on account of any breach of contract to serve or work for any employer, or on account of any debts under thirty pounds in the said islands.

The ordinary course of law not to be interfered with.

4. Nothing in this Act contained shall be construed to extend to exempt any officer or marine from being proceeded against by the ordinary course of law when accused of felony or misdemeanor, or of any misdemeanor other than the misdemeanor of refusing to comply with an order of justices for the payment of money; and any commanding officer who shall neglect or refuse, when due application shall be made to him for that purpose, to deliver over to the civil magistrate any officer or marine, or who shall wilfully obstruct, neglect, or refuse to assist any peace officer in apprehending any such offender shall, upon conviction thereof in any of Her Majesty's courts at Westminster, Dublin, or Edinburgh, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any civil or military office or employment in Her Majesty's service; and a certificate of such conviction shall be transmitted to the Secretary of the Admiralty.

No person tried by civil power to be punished by court-martial for same offence except by cashiering, &c.

5. No person subject to this Act having been acquitted or convicted of any crime or offence by the civil magistrate or by the verdict of a jury shall be liable to be again tried for the same crime or offence by a court-martial, or to be punished for the same otherwise than by cashiering in the case of a commissioned officer, or in the case of a warrant officer by reduction to an inferior class, or to the rank of a private marine, by order of the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or in the case of a non-commissioned officer, by reduction to the ranks, by order of the commandant of the division to which such non-commissioned officer may belong; and whenever any officer or marine shall have been tried before a court of ordinary criminal jurisdiction, the clerk of the court or other officer having the custody of the records of such court, or the deputy of such clerk, shall, if required by the officer commanding the division to which such officer or marine belongs, transmit to him a certificate containing the substance and effect only, omitting the formal part, of the indict-

ment, conviction, and entry of judgment thereon or acquittal of such officer or marine, and shall be allowed for such certificate a fee of three shillings.

Marines to be subject to the discipline of the navy while on board ship.

6. All of Her Majesty's Royal Marine forces shall, during the time they shall be respectively borne on the books of or be on board any of Her Majesty's ships or vessels in commission, either as part of the complement or as supernumeraries, or otherwise, be subject and liable in every respect to the laws for the government of Her Majesty's forces by sea, and to the rules and discipline of the Royal Navy for the time being, and shall and may be proceeded against and punished for offences committed by them whilst so borne or on board, in the same manner as the officers and seamen employed in the Royal Navy may be tried or punished; except when and so long as any marine officers or marines shall be landed from any of Her Majesty's ships, and be employed in military operations on shore, and when on such occasions the senior naval officer present shall deem it expedient to issue an order declaring that such marine officers and marines shall during such employment on shore be subject to the regulations of this Act, in which cases, and while such order shall remain in force, they shall be subject to such regulations, and be tried and punished under this Act accordingly for any offences to be committed by them while so on shore; and, with or without any commission or warrant from the said Lord High Admiral or the said Commissioners for that purpose, the officer commanding in chief or commanding for the time being any such marine officers or marines shall have power and authority to convene, and to authorise any officer to convene, courts-martial under this Act, as occasion may require, for the trial of offences committed by any of the Royal Marine forces, whether the same shall have been committed before or after such officer shall have taken upon himself such command: Provided always, that if any marine officer or marine so borne on the books of any of Her Majesty's ships or otherwise shall commit any offence for which he shall not be amenable to a naval court-martial, he may be tried and punished for the same in the same manner as other officers or marines may be tried and punished for the like offences under the authority of this Act; or if the Commissioners for executing the office of Lord High Admiral aforesaid so direct, he may be so tried and punished for any offence committed by him on shore, whether he be or be not amenable to a naval court-martial for the same.

Power to Lord High Admiral &c. to grant commissions for holding general courts-martial, &c.

7. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral aforesaid, from time to time to grant commissions or warrants under the hand of the said Lord High Admiral, or under the hands of any two or more of the said Com-

missioners, for the holding of general and other courts-martial within the United Kingdom of Great Britain and Ireland, and elsewhere out of the same, in like manner as has been heretofore used, and for bringing offenders against this Act and the Articles of War to justice, and to erect and constitute courts-martial, as well within the said United Kingdom and the British Isles as in any of Her Majesty's garrisons or dominions or elsewhere beyond the seas, and to grant commissions or warrants to the officer or officers commanding in chief or commanding for the time being any of Her Majesty's Royal Marine forces, as well within the said United Kingdom as Her Majesty's other dominions, and in any foreign parts out of the same dominions, for convening, as well as for authorising any officer to convene, courts-martial, as occasion may require, for the trial of offences committed by any of the Royal Marine forces, whether the same shall have been committed before or after such officer shall have taken upon himself such command, or before or after any such commission or warrant shall be granted, provided that the officer so authorised be not below the degree of a field officer, except in detached situations beyond seas, where a captain may be authorised to convene district or garrison courts-martial; and any person subject to this Act who shall, in any of Her Majesty's dominions or elsewhere, commit any of the offences for which he may be liable to be tried by court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any part of Her Majesty's dominions, or other place where he may have come or be after the commission of the offence, as if the offence had been committed where such trial shall take place.

Place where offenders may be tried.

Power of general courts-martial.

8. Every general court-martial convened within the United Kingdom or the British Isles shall consist of not less than nine commissioned officers, each of whom shall have held a commission for three years before the date of the assembly of the court. Every general court-martial shall have power to sentence any officer of marines or marine to suffer death, penal servitude, imprisonment, forfeiture of pay or pension, or any other punishment which shall accord with the usage of the service; but no sentence of death by a court-martial shall pass unless two thirds at least of the officers present shall concur therein. No sentence of penal servitude shall be for a period of less than five years, and no sentence of imprisonment shall be for a period longer than two years.

Powers of district or garrison courts-martial.

9. Every district or garrison court-martial convened within the United Kingdom or the British Isles shall consist of not less than seven commissioned officers, and shall have the same power as a general court-martial to sentence any marine to such punishments as shall accord with the provisions of this Act; provided that the sentence of a district or garrison court-

martial shall be confirmed by the general officer, governor, or senior officer in command of the district, garrison, island, or colony, and that no such district or garrison court-martial shall have power to try a commissioned officer, or to pass any sentence of death or penal servitude.

Powers of divisional and detachment courts-martial.

10. A divisional or detachment court-martial shall consist of not less than five commissioned officers, unless it be found impracticable to assemble that number, in which case three shall be sufficient, and shall have power to sentence any marine to corporal punishment or to imprisonment, and forfeiture of pay, in such manner as shall accord with the provisions of this Act.

Courts-martial on line of march or in transport ships, &c.

11. In cases of mutiny and insubordination accompanied with personal violence or of other offences committed on the line of march, or on board any transport ship, convict ship, or merchant vessel, the offender may be tried by a divisional or detachment court-martial, and the sentence may be confirmed and carried into execution on the spot by the officer in immediate command, provided that the sentence shall not exceed that which a divisional court-martial is competent to award.

Powers of detachment general courts-martial.

12. It shall be lawful for any officer commanding any detachment or portion of Her Majesty's Royal Marine forces, upon complaint made to him of any offence committed against the property or person of any inhabitant of or resident in any country in which Her Majesty's Royal Marine forces are so serving by any person under the immediate command of any such officer, to summon and cause to be assembled a detachment general court-martial, which shall consist of not less than three commissioned officers, for the trial of any such person, notwithstanding such officer shall not have received any warrant empowering him to assemble courts-martial; and every such court-martial shall have the same powers in regard to summoning and examining witnesses, trial of and sentence upon offenders, as are granted by this Act to general courts-martial: Provided always, that no sentence of any such detachment court-martial shall be executed until the officer commanding the army to which the division, brigade, detachment, or party to which any person so tried shall belong shall have approved and confirmed the same.

Officers of the marine and land forces may sit in conjunction on courts-martial.

13. When it is necessary or expedient, a court-martial composed exclusively of officers of the Royal Marines, or a court-martial composed of officers of Her Majesty's Army, or of Her Majesty's Indian Army, or of both or of either, together with officers of the Royal Marines, whether the commanding officer by whose order such court-martial is assembled belongs to the land or to the marine forces, may try a person belonging to any one of the said three services; provided that when

the person to be tried shall belong to Her Majesty's Royal Marine forces, then the provisions of this Act, or of such Act as shall be then and there in force for the regulation of Her Majesty's Royal Marine forces while on shore, and the oaths therein respectively prescribed, and the Rules and Articles of War relating to the Royal Marines then and there in force, shall be applicable to such court, and the proceedings thereof and relating thereto; but where the person to be tried shall belong to Her Majesty's Army, or shall belong to Her Majesty's Indian Army, and be within the United Kingdom, then the proceedings of such court shall be regulated as if the court were composed of officers of Her Majesty's Army only, and the provisions of the Act then and there in force for the punishment of mutiny and desertion, and for the better payment of the army and their quarters, and the oaths therein prescribed, and the Rules and Articles of War relating to Her Majesty's Army then and there in force, shall be applicable to such court, and the proceedings thereof and relating thereto; and where the person to be tried shall belong to Her Majesty's Indian Army, and be out of the United Kingdom, the provisions of such Act or Acts as shall be then and there in force for punishing mutiny and desertion of officers and soldiers in Her Majesty's Indian Army, and the Rules and Articles of War, if any, relating to such officers and soldiers then and there in force, shall be applicable to such court, and the proceedings thereof and relating thereto.

If no superior officer of land forces is present in command of a district, &c., an officer of marines may convene a court-martial.

14. Provided there be no superior officer of Her Majesty's land forces present in command of a district, garrison, station, or place where marines may be serving, it shall be lawful for any officer of the Royal Marine corps of the degree of a field officer, and holding a commission from the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, for that purpose, but not otherwise, to convene or assemble a district or garrison court-martial, to be composed as before stated, and for such court to proceed to try any marine or marines below the rank of commissioned officer for any of the offences cognizable by a district or garrison court-martial; but the sentence so awarded by any such court shall not be carried into effect until the senior officer of the Royal Marines in the district, garrison, station, or place, not being a member of the court, shall have confirmed the same: Provided always, that if there be any such superior officer of Her Majesty's land forces present in command of the district, garrison, station, or place where marines may be, in such case it shall be lawful for him to convene or assemble such district or garrison court-martial for the trial of any marine or marines below the rank of a commissioned officer, and for such court-martial to try any such marine or marines in conformity with the provisions of this Act and the Articles of War to be made

in pursuance hereof; but the sentence which may be awarded by any such court which may be convened or assembled by any such superior officer shall not be carried into effect until such superior officer shall have confirmed the same.

President of courts-martial.

15. The president of every court-martial shall be appointed by or under the authority of the officer convening such courts, and shall in no case be the confirming officer; or the officer whose duty it has been to investigate the charges on which the prisoner is to be arraigned, nor, in the case of a general court-martial, under the degree of a field officer, unless where a field officer cannot be had, nor in any case whatsoever under the degree of a captain, save in the case of a detachment general court-martial holden out of Her Majesty's dominions, or of a divisional or detachment court-martial holden on the line of march, or on board a transport ship, convict ship, merchant vessel, or troop ship not in commission, or on any foreign station where a captain cannot be had: Provided always, that in the case of a detachment general court-martial holden out of Her Majesty's dominions the officer convening such court may be the president thereof.

Proceedings at trial.

16. In all trials by court-martial, as soon as the president and other officers appointed to serve thereon shall be assembled, their names shall be read over in the hearing of the prisoner, who shall thereupon be asked if he objects to being tried by the president or by any of such officers, and if the prisoner shall then object to the president, such objection, unless disallowed by two thirds at least of the other officers appointed to form the court, shall be referred to the decision of the authority by whom such president shall have been appointed; but if he object to any officer other than the president, such objection shall be decided by the president and the other officers so aforesaid appointed to form the court; and when the place of the president or other officer in respect of whom any challenge shall have been made and allowed shall be supplied by some officer in respect of whom no challenge shall be made or allowed, or if no challenge whatever shall have been made, or, if made, not allowed, the president and the other officers composing a general court-martial shall take the oaths in the schedule to this Act annexed before the judge advocate or his deputy or person officiating as judge advocate, and on trials by other courts-martial before the president of such court, who are hereby respectively authorised to administer the same, and any sworn member may administer the oath to the president; and as soon as the said oaths shall have been administered to the respective members, the president of the court is hereby authorised and required to administer to the judge advocate, or the person officiating as such, the oath in the schedule to this Act annexed; and no proceeding or trial shall be had upon any offence but between the hours

of eight of the clock in the morning and four in the afternoon, except in cases which require an immediate example, and except in the East Indies, where such proceedings or trial may be had between the hours of six in the morning and four in the afternoon.

Swearing and summoning witnesses.

17. All general and other courts-martial shall have power and authority and are hereby required to administer an oath to every witness or other person who shall be examined before such court in any matter relating to any proceeding before the same; and every person, as well civil as military, who may be required to give or produce evidence before a court-martial, shall, in the case of general courts-martial, be summoned by the judge advocate, or the person officiating as such, and in the case of all other courts-martial by the president of the court; and all persons so summoned and attending as witnesses before any court-martial shall, during their necessary attendance in or on such courts, and in going to and returning from the same, be privileged from arrest, and shall, if unduly arrested, be discharged by the court out of which the writ or process issued by which such witness was arrested; or if such court be not sitting, then by any judge of the superior courts of Westminster or Dublin, or of the Court of Session in Scotland, or of the courts of law in the East or West Indies, or elsewhere, according as the case shall require, upon its being made to appear to such court or judge by any affidavit in a summary way that such witness was arrested in going to, attending upon, or returning from or attending upon such court-martial; and all witnesses so duly summoned as aforesaid who shall not attend on such courts, or attending shall refuse to be sworn, or not produce the documents being under their power or control required to be produced by them, or, being sworn, shall refuse to give evidence or to answer all such questions as the court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in London or Dublin, or in the Court of Session, sheriff or stewart courts in Scotland, or in the courts of law in the East or West Indies, or in any of Her Majesty's colonies, garrisons, or dominions in Europe or elsewhere, respectively, upon complaint made, in like manner as if such witness had, after being duly summoned or subpœnaed, neglected to attend on a trial in any proceeding in the court in which such complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an oath necessary in any case where by law a solemn affirmation may be made instead thereof.

No second trial, but revision allowed.

18. No officer or marine who shall be acquitted or convicted of any offence shall be liable to be tried a second time by the same or any other court-martial for the same offence; and no finding, opinion, or sentence given by any court-martial, and signed by the president thereof, shall be revised more than

once, nor shall any additional evidence in respect of any charge on which the prisoner then stands arraigned be received by the court on any revision.

Crimes punishable with death.

19. If any person who is or shall be commissioned or in pay as an officer of Royal Marines, or who is or shall be listed or in pay as a non-commissioned officer, drummer, or private man in Her Majesty's Royal Marine forces, shall at any time during the continuance of this Act, while on shore in any place within the said kingdom, or in any other of Her Majesty's dominions, or in any foreign parts out of such dominions, or on board any transport ship, or merchant ship or vessel, or any ship or vessel of Her Majesty, or on board any convict hulk or ship, or any other ship or vessel, or in any place whatever, where or while being in any circumstances in which he shall not be subjected to, or not be liable to or punishable by, the laws relating to the government of Her Majesty's forces by sea, begin, excite, cause, or join in any mutiny or sedition in Her Majesty's marine or other forces, or shall not use his utmost endeavours to suppress any such mutiny or sedition, or shall conspire with any other person to cause a mutiny, or coming to the knowledge of any mutiny or intended mutiny shall not without delay give information thereof to his commanding officer; or shall misbehave himself before the enemy; or shall shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge, or which he shall have been commanded to defend; or shall compel the governor or commanding officer of any garrison, fortress, or post to deliver up to the enemy or to abandon the same; or shall speak words or use any other means to induce such governor or commanding officer or any other to misbehave before the enemy, or shamefully to abandon or deliver up any garrison, fortress, post, or guard committed to their respective charge, or which he or they shall be commanded to defend; or shall leave his post before being regularly relieved, or shall sleep on his post; or shall hold correspondence with or give advice or intelligence to any rebel, pirate, or enemy of Her Majesty, either by letters, messages, signs, tokens, or any other ways or means whatever; or shall treat or enter into any terms with any such rebel, pirate, or enemy, without the license of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid, for the time being; or shall strike or use or offer any violence against his superior officer being in the execution of his office, or shall disobey any lawful command of his superior officer; or who being confined in a military prison shall offer any violence against a visitor or other officer being in the execution of his office, or shall violate any law or regulation of or relating to any military prison; or shall desert from Her Majesty's Royal Marine forces; every person so

offending in any of the matters before mentioned, whether such offence be committed within this realm, or in any other of Her Majesty's dominions, or in foreign parts upon land or upon the sea, shall suffer death or penal servitude or such other punishment as by a court-martial shall be awarded: Provided always, that any non-commissioned officer or marine in pay in any division or company who shall, without having first obtained a regular discharge therefrom, enlist himself in any other division or company, or in any other branch of Her Majesty's service, may be deemed to have deserted Her Majesty's service, and shall be liable to be punished accordingly.

Commutation of death for penal servitude or imprisonment, &c.

20. In all cases where the punishment of death shall have been awarded by a general court-martial or by a detachment general court-martial it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the commanding officer having authority to confirm the sentence, instead of causing such sentence to be carried into execution, to order the offender to be kept to penal servitude for any term not less than five years, or to suffer such term of imprisonment, with or without hard labour, and with or without solitary confinement, as shall seem meet to Her Majesty or to the officer commanding as aforesaid.

Embezzlement punishable by penal servitude, imprisonment, &c.

21. Any officer or marine, or any person employed or in any way concerned in the care or distribution of any money, provisions, forage, arms, clothing, ammunition, or other stores belonging to any of Her Majesty's forces or for Her Majesty's use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a general court-martial, and sentenced to be kept in penal servitude for any term not less than five years, or to suffer such punishment of fine, imprisonment with or without hard labour, dismissal from Her Majesty's service, reduction to the ranks, if a warrant or non-commissioned officer, as such court shall think fit, according to the nature and degree of the offence; and every such offender shall, in addition to any other punishment, make good at his own expense the loss and damage sustained; and in every such case the court is required to ascertain by evidence the amount of such loss or damage, and to declare by their sentence that such amount shall be made good by such offender; and the loss and damage so ascertained as aforesaid shall be a debt to Her Majesty, and may be recovered in any of Her Majesty's courts at Westminster or in Dublin, or the Court of Exchequer in Scotland, or in any court in Her Majesty's colonies where the person sentenced by such court-martial shall be resident after the said judgment shall be confirmed and made known, or the offender, if he shall remain in the service, may be put under stoppages not exceeding one half of his

pay and allowances until the amount so ascertained shall be recovered.

As to execution of sentences of penal servitude in the United Kingdom.

22. Whenever Her Majesty shall intend that any sentence of penal servitude heretofore or hereafter to be passed upon any offender by any court-martial shall be carried into execution for the term specified in such sentence, or for any shorter term, or shall be graciously pleased to commute as aforesaid to penal servitude any sentence of death which shall have been passed by any such court, such sentence, together with Her Majesty's pleasure upon the same, shall be notified in writing by the Lord High Admiral, or by the Secretary to the Admiralty for the time being, to any justice of the Queen's Bench, Common Pleas, or baron of the Exchequer, and thereupon such justice or baron shall make an order for the penal servitude of such offender upon the terms and for the time which shall be specified in such notification, and shall do all such other acts consequent upon such notification as any such justice or baron is authorised to make or do by any statute or statutes in force at the time of making any such orders in relation to penal servitude of offenders, and such order, and other acts to be so made and done as aforesaid, shall be obeyed and executed by such person in whose custody such offender shall at that time be, and by all other persons whom it may concern, and shall be as effectual, and have all the same consequences, as any order made under the authority of any statute with respect to any offender in such statute mentioned; and every sheriff, gaoler, keeper, governor, or superintendent whom it may concern, and all constables and other persons, shall be bound to obey the aforesaid order and orders, be assistant in the execution thereof, and be liable to the same punishment for disobedience to or for interrupting the execution of such order, as they would be if the same had been made under the authority of any such Act of Parliament; and every person so ordered to be kept in penal servitude shall be subject respectively to all and every the penalties and provisions made by law and in force concerning persons under sentence of penal servitude, or receiving Her Majesty's pardon on condition of penal servitude; and from the time when such order of penal servitude shall be made every law and statute in force touching the escape of felons, or their afterwards returning or being at large without leave, shall apply to such offender, and to all persons aiding, abetting, contriving, or assisting in any escape or intended escape or the returning without leave of any such offender; and the judge who shall make any order of penal servitude as aforesaid shall direct the notification of Her Majesty's pleasure, and his own order made thereupon, to be filed and kept of record in the office of the Clerk of the Crown of the Court of Queen's Bench; and the said clerk shall have a fee of two shillings and sixpence only

for filing the same, and shall, on application, deliver a certificate in writing (not taking more than two shillings and sixpence for the same) to such offender, or to any person applying in his or Her Majesty's behalf, showing the Christian and surname of such offender, his offence, the place where the court was held before which he was convicted, the sentence, and the conditions on which the order of penal servitude was made; which certificate shall be sufficient proof of the conviction and of the sentence of such offender, and also of the terms in which such order for his penal servitude was made, in any court and in any proceeding wherein it may be necessary to inquire into the same; and it shall be lawful for any judge of the Queen's Bench, Common Pleas, or Exchequer in Ireland to make an order that any such offender convicted in Ireland shall be kept in penal servitude in England, and such order shall be in all respects as effectual in England as though such offender had been convicted in England and the order had been made by any judge of the Queen's Bench, Common Pleas, or Exchequer in England.

As to execution of sentences in the colonies.

23. Whenever any sentence of penal servitude heretofore or hereafter passed upon any offender by any court-martial holden in any part of Her Majesty's foreign dominions, or elsewhere beyond the seas, is to be carried into execution for the term specified in such sentence, or for any shorter term, or when sentence of death passed by any such court-martial has been or shall as aforesaid be commuted to penal servitude, the same shall be notified by the officer commanding Her Majesty's forces at the presidency or station where the offender may come or be, if in India to the chief judge or any judge of the chief civil court of the presidency or province in which the court-martial has been held; and if in any other part of Her Majesty's foreign dominions, to the chief justice or some other judge therein, who shall make order for the penal servitude or intermediate custody of such offender; and upon any such order being made it shall be duly notified to the governor of the presidency if in the East Indies, or to the governor of the colony if in any of Her Majesty's colonies, or to the person who shall for the time being be exercising the office of governor of such presidency or colony, who on receipt of such notification shall cause such offender to be removed or sent to some other colony or place, or to undergo his sentence within the presidency or colony where the offender was so sentenced or where he may come or be as aforesaid in obedience to the directions for the removal and treatment of convicts which shall from time to time be transmitted from Her Majesty through one of Her Principal Secretaries of State to such presidency or colony; and such offender shall, according to such directions, undergo the sentence of penal servitude which shall have been passed upon him either in the presi-

dency or colony in which he has been so sentenced or in the colony or place to which he has been so removed or sent, and whilst such sentence shall remain in force shall be liable to be imprisoned and kept to hard labour, and otherwise dealt with under such sentence, in the same manner as if he had been sentenced to be imprisoned with hard labour during the term of his penal servitude by the judgment of a court of competent jurisdiction in such presidency or colony or in the colony or place to which he has been so removed or sent respectively.

Sentence of penal servitude may be commuted for imprisonment.

24. In any case where a sentence of penal servitude shall have been awarded by a general or detachment general court-martial, it shall be lawful for Her Majesty, or, if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, instead of causing such sentence to be carried into execution, to order that the offender be imprisoned, with or without hard labour, and with or without solitary confinement, for such term not exceeding two years as shall seem meet to Her Majesty or to the officer commanding as aforesaid.

Of forfeitures, when combined with penal servitude.

25. Where an award of any forfeiture, or of deprivation of pay, or of stoppages of pay shall have been added to any sentence of penal servitude, it shall be lawful for the said Lord High Admiral or the said Commissioners, or if in any place out of the United Kingdom or British Isles, for the officer commanding in chief Her Majesty's forces there serving, in the event of the sentence being commuted for imprisonment, to order such award of forfeiture, deprivation of pay, or stoppages of pay to be enforced, mitigated, or remitted as may be deemed expedient.

Disposal of convict after sentence of penal servitude.

26. When any sentence of death shall be commuted for penal servitude, or when any marine shall by court-martial be adjudged to penal servitude as authorised by this Act, it shall be lawful for the commanding officer of the division to which such marine shall have belonged or may belong to cause him to be detained and conveyed to any gaol or prison, there to remain in safe custody until he shall be removed therefrom by due authority under an order for his penal servitude to be made by some justice of the Queen's Bench or Common Pleas or baron of the Exchequer as aforesaid; and a certificate of his sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, (such certificate to be signed by the commanding officer of the division from which he shall be sent,) shall be a sufficient order, requisition, and authority to the governor, keeper, or superintendent of the gaol or prison to receive and detain him: Provided always, that in case of any such offender being so conveyed to gaol or prison the usual allowance of sixpence per diem, or such other sum as

the said Lord High Admiral or the said Commissioners may at any time or times direct, shall be made to the keeper of the gaol or prison for the subsistence of such offender during his detention therein, which allowance shall be paid by the paymaster of the division, upon production to him, by the said governor, keeper, or superintendent, of a declaration, to be made by him before one of Her Majesty's justices of the peace of such county, of the number of days during which the offender shall have been so detained and subsisted in such gaol or prison.

Power to inflict corporal punishment in certain cases.

27. No court-martial shall, for any offence whatever committed in time of peace within the Queen's dominions, have power to sentence any marine to corporal punishment: Provided, that any court-martial may sentence any marine to corporal punishment while on active service in the field, or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty or on the line of march; and no sentence of corporal punishment shall exceed fifty lashes.

Power to inflict corporal punishment and imprisonment.

28. It shall be lawful for any general, district, or garrison court-martial to award imprisonment, with or without hard labour, and with or without solitary confinement, such confinement not exceeding the periods prescribed herein-after or by the Articles of War, and in case of a marine in addition to corporal punishment.

Power to commute corporal punishment.

29. In all cases in which corporal punishment shall form the whole or part of the sentence awarded by any court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of Great Britain and Ireland, or the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, or for the officer authorised to confirm the sentences of courts-martial, to commute such corporal punishment to imprisonment for any period not exceeding forty-two days, with or without hard labour, and with or without solitary confinement, or to mitigate such sentence, or instead of such sentence to award imprisonment for any period not exceeding twenty days, with or without hard labour, and with or without solitary confinement, and corporal punishment, to be inflicted in the prison, not exceeding twenty-five lashes, and the solitary confinement herein-before mentioned shall in no case exceed seven days at a time, with intervals of not less than seven days between each period of such confinement.

Power to commute a sentence of cashiering.

30. It shall be lawful for Her Majesty, in all cases whatsoever, instead of causing a sentence of cashiering to be put in execution, to order the offender to be reprimanded, or, in addition thereto, to suffer such loss of army or regimental rank, or both, as may be deemed expedient.

Forfeiture of pay and pension by sentence of court-martial.

31. Any general court-martial may in addition to any other punishment which such court may award, sentence any offender to forfeiture of all advantage as to additional pay, good conduct pay, and to pension on discharge, which might have otherwise accrued from the length of his former service, or to forfeiture of such advantage absolutely, whether it might have accrued from past service, or might accrue from future service, or to forfeiture of any annuity and medal which may have been granted for former meritorious service, or of the gratuity and medal awarded for former good conduct, and of all medals and decorations according to the nature of the case; and any district or garrison court-martial may also, in addition to any punishment which such court may award, sentence any offender to such forfeiture for desertion, or for disgraceful conduct,

In wilfully maiming or injuring himself or any other marine, whether at the instance of such other marine or not, or of causing himself to be maimed or injured by any other person, with intent thereby to render himself or such other marine unfit for service:

In wilfully doing any act, or wilfully disobeying any orders, whether in hospital or otherwise, thereby producing or aggravating disease or infirmity, or delaying his cure:

In malingering or feigning disease:

In tampering with his eyes, with intent thereby to render himself unfit for service:

In stealing or embezzling Government property or stores, or in receiving the same knowing the same to have been stolen:

In stealing any money or goods, the property of a comrade, of a marine officer, or of any marine mess or band, or in receiving any such money or goods knowing the same to have been stolen:

In making any false or fraudulent accounts, returns, matters, or entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying public money intrusted to him:

Or in committing any other offence of a felonious or fraudulent nature, to the injury of, or with intent to injure, any person, civil, marine, or military:

Or for any other disgraceful conduct, being of a cruel, indecent, or unnatural kind.

Forfeiture of pay on conviction of desertion or felony.

32. Every marine who shall be found guilty by a court-martial of desertion, of wilfully maiming or injuring himself or any other marine, whether at the instance of such other marine or not, or of causing himself to be maimed or injured by any other person, with intent thereby to render himself or

such other marine unfit for service, of tampering with his eyes with intent thereby to render himself unfit for service, such finding having been confirmed, or found guilty by a jury of felony in any court of ordinary criminal jurisdiction in England or Ireland, or of any crime or offence in any court of criminal judicature in any part of the United Kingdom, or in any dominion, territory, colony, settlement, or island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in England, amount to felony, shall thereupon forfeit all advantage as to additional pay, good conduct pay, and to pension on discharge which might have otherwise accrued from the length of his former service, in addition to any punishment which such court may award; and every marine who may be so convicted, or who may be sentenced to penal servitude, or discharged with ignominy, shall thereupon likewise forfeit all medals which he may be in possession of, whether for sea or field service or for good conduct, together with any annuity or pension or gratuity, if any, thereto appertaining; and any sergeant reduced to the ranks by sentence of court-martial may, by the order of the same court, be made to forfeit any annuity or pension and medal for meritorious service, or any or either of them, which may have been conferred upon him.

Forfeiture of pay when in confinement;

33. If any non-commissioned officer or marine, by reason of his imprisonment, whether under sentence of a court-martial or of any other court duly authorised to pass such sentence, or by reason of his confinement for debt, or by reason of his desertion, or, being an apprentice, by reason of his being allowed to serve out his time with his master, shall have been absent from his duty during any portion of the time limited by his enlistment or re-engagement or prolongation of service as herein-after provided, such portion of his time shall not be reckoned as a part of the limited service for which such non-commissioned officer or marine was enlisted or re-engaged, or for which his time of service may have been prolonged; and no marine shall be entitled to pay, or to reckon service towards pay or pension, when in confinement under a sentence of any court, or during any absence from duty by commitment or confinement as a deserter by confession or under any charge of which he shall be afterwards convicted, either by court-martial or by any court of ordinary criminal jurisdiction, or whilst in confinement for debt; and when any marine shall be absent as a prisoner of war he shall not be entitled to pay, or to reckon service towards pay or pension, for the period of such absence, but upon rejoining Her Majesty's service due inquiry shall be made by a court-martial, and unless it shall be proved to the satisfaction of such court that the said marine was taken prisoner through wilful neglect of duty on his part, or that he had served with or under, or in some manner aided,

or during absence on commitment under a charge, or in arrest for debt;

or when prisoner of war;

the enemy, or that he had not returned as soon as possible to Her Majesty's service, he may thereupon be recommended by such court to receive either the whole of such arrears of pay, or a proportion thereof, and to reckon service during his absence; and any marine who shall be convicted of desertion, or of absence without leave, shall, in addition to any punishment awarded by the court, forfeit his pay for the day or days during which he was in a state of desertion, or during his absence without leave; and if any marine shall absent himself without leave for any period, and shall not account for the same to the satisfaction of the commanding officer, or if any marine shall be guilty of any other offence which the commanding officer may not think necessary to bring before a court-martial, the commanding officer may, in addition to any minor punishment he is authorised to award, order that such marine shall be imprisoned for such period not exceeding one hundred and sixty-eight hours, with or without hard labour, and with or without solitary confinement, as the said commanding officer may think fit, and such marine shall forfeit his pay for any day or days on which he may be so imprisoned; and the said commanding officer may moreover order that, in addition to or instead of such imprisonment and forfeiture, or any other punishment which he has authority to inflict, any marine who shall have so absented himself as aforesaid shall forfeit his pay for the day or days during which he shall have so absented himself; and, in pursuance of any such order as aforesaid, the pay of the marine shall be accordingly forfeited: Provided always, that such marine shall not be liable to be afterwards tried by a court-martial for any offence for which he shall have been so punished, ordered to suffer imprisonment, punishment, or forfeiture as last aforesaid: Provided also, that any marine who shall be so ordered to suffer imprisonment or forfeiture of pay shall, if he so request, have a right to be tried by a court-martial for his offence instead of submitting to such imprisonment or forfeiture: Provided also, that it shall be lawful for the said Lord High Admiral or the said Commissioners to order or withhold the payment of the whole or any part of the pay of any officer or marine during the period of absence by any of the causes aforesaid.

or when convicted of desertion or absence without leave;

or when absent without leave.

34. In addition to any other punishment which the court may award, a court-martial may further direct that any offender may be put under stoppages until he shall have made good— Stoppages.

Any bounty fraudulently obtained by him by desertion from his corps and enlisting in some other corps or in the militia:

Any loss, disposal of, or damage occasioned by him in any of the instances of disgraceful conduct herein specified:

Any loss, disposal of, or destruction of, or damage or injury to any property whatsoever, occasioned by his wilful or negligent misconduct:

Any loss, disposal of, or destruction of, or damage or injury to his arms, clothing, instruments, equipments, accoutrements, or necessaries, or any extra article of clothing or equipment that he may have been put in possession of and ordered to wear on the recommendation of the surgeon for the benefit of his health, or making away with or pawning any medal or decoration for service or for general good conduct which may have been granted to him by order of Her Majesty or by order of the East India Company, or any medal or decoration which may have been granted to him by any foreign power, or any loss, disposal of, or destruction of, or damage or injury to the arms, clothing, instruments, equipments, accoutrements, or necessaries of any officer or marine, occasioned by his wilful or negligent misconduct:

Any expense necessarily incurred by his drunkenness or other misconduct:

Provided always, that, except in the case of the loss, disposal of, or destruction of, or damage or injury to arms, clothing, instruments, equipments, accoutrements, or necessaries, in which case the court may by its sentence direct that the said stoppages shall continue till the cost of replacing or repairing the same be made good, the amount of any loss, disposal, destruction, damage or injury, or expense, shall be ascertained by evidence, and the offender shall be placed under stoppages for such an amount only as shall be proved to the satisfaction of the court: Provided also, that when an offender is put under stoppages for making away with or pawning any medal or decoration, the amount shall be credited to the public, but the medal or decoration in question shall not be replaced, except under special circumstances, to be determined by the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral aforesaid: Provided also, that so much only of the pay of the marine may be stopped and applied as shall, after satisfying the charges for messing and washing, leave him a residue at the least of one penny a day.

Discharge with ignominy.

35. Whenever any marine shall have been convicted of desertion or of any such disgraceful conduct as is herein-before described, and the court in respect of such disgraceful conduct shall have made the forfeiture of all claim to pension on discharge a part of the sentence passed on such marine, such court may further sentence him to be discharged with ignominy from Her Majesty's service: Provided always, where an award of any of the forfeitures herein-before mentioned, or of deprivation of pay, or of stoppages of pay shall have been added to a sen-

tence of transportation or penal servitude, it shall be lawful for the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral, or, if in the East Indies, for the officer commanding in chief Her Majesty's land forces in India, in the event of the sentence of transportation or penal servitude being commuted to imprisonment, to order such award of forfeiture, deprivation of pay, or stoppages of pay to be enforced, mitigated, or remitted as may be deemed expedient.

Power of imprisonment by general, garrison, or district courts-martial.

36. A general or district or garrison court-martial may sentence any marine to imprisonment, with or without hard labour, and may also direct that such offender shall be kept in solitary confinement for any portion or portions of such imprisonment, in no case exceeding fourteen days at a time, nor eighty-four days in any one year, with intervals between the periods of solitary confinement of not less duration than such periods; and when the imprisonment awarded, shall exceed three months, the court-martial shall imperatively order that the solitary confinement shall not exceed seven days in any one month of the whole imprisonment awarded with intervals between the periods of solitary confinement of not less duration than such periods.

Power of imprisonment by divisional or detachment courts-martial.

37. Any divisional or detachment court-martial may sentence any marine to imprisonment, with or without hard labour, for any period not exceeding forty-two days, and may also direct that such marine be kept in solitary confinement for any portion or portions of such imprisonment, not exceeding fourteen days at a time, with intervals between them of not less duration than such periods of solitary confinement: Provided always, that when any court-martial, whether general, garrison, or district, or divisional or detachment, shall direct that the imprisonment shall be solitary confinement only, or when any sentence of corporal punishment shall have been commuted to imprisonment only, the period of such solitary confinement shall in no case exceed fourteen days.

Imprisonment of offender already under sentence.

38. Whenever sentence shall be passed by a court-martial on an offender already under sentence, either of imprisonment or of penal servitude, the court may award sentence of imprisonment or penal servitude for the offence for which he is under trial to commence at the expiration of the imprisonment or penal servitude to which he shall have been so previously sentenced, although the aggregate of the terms of imprisonment or penal servitude respectively may exceed the term for which either of those punishments could be otherwise awarded.

Whenever Her Majesty, the Lords Commissioners of the Admiralty, or any general or other officer authorised to confirm the sentences of courts-martial shall commute a sentence of penal servitude or corporal punishment to imprisonment,

and the offender whose sentence shall be so commuted shall at the time of such commutation be under sentence of imprisonment or penal servitude, it shall be lawful to direct that such commuted sentence of imprisonment shall commence at the expiration of the imprisonment or penal servitude to which such prisoner shall have been so previously sentenced, although the aggregate of the term of imprisonment or penal servitude respectively may exceed the term for which either of those punishments could be otherwise awarded.

Term and place of imprisonment.

39. Save as herein specially provided, every term of penal servitude or imprisonment under the sentence of a court-martial, whether original or revised, shall be reckoned as commencing on the day on which the original sentence and proceedings shall be signed by the president; and the place of imprisonment under the sentences of courts-martial shall be appointed by the court or the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or the commanding officer of the division to which the offender belongs or is attached, or the officer commanding the district, garrison, island, or colony.

Proviso for removal of prisoners.

40. In the case of a prisoner undergoing imprisonment under sentence of a court-martial, or as part of commuted punishment, in any public prison other than a military prison, or in any gaol or house of correction or elsewhere, in any part of the United Kingdom, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, for the time being, in all cases, or for the officer who confirmed the proceedings of the court, or the officer commanding the division or the district or garrison in which such prisoner may be, to give, as often as occasion may arise, an order in writing directing that the prisoner be discharged, or be delivered over to military custody, whether for the purpose of being removed to some other prison or place in the United Kingdom, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-martial either as a witness or for trial; and in the case of a prisoner undergoing imprisonment under the sentence of a court-martial in any public prison other than a military prison, or in any gaol or house of correction, in any part of Her Majesty's dominions other than the United Kingdom, it shall be lawful for the said Lord High Admiral or the said Commissioners, or for the officer commanding the Royal Marines there serving, in the case of any such prisoner, to give as often as occasion may arise an order in writing directing that the prisoner be discharged, or be delivered over to military or other custody, whether for the purpose of being removed to some other prison or place in any part of Her Majesty's dominions, there to undergo the remainder or any part of his sentence, or for the purpose of being brought before a court-

martial either as a witness or for trial; and in the case of any prisoner who shall be removed by any such order from any such prison, gaol, or house of correction, either within the United Kingdom or elsewhere, to some other prison or place, either in the United Kingdom or elsewhere, the officer or authorities who gave such order shall also give an order in writing directing the governor, provost marshal, gaoler, or keeper of such other prison or place to receive such prisoner into his custody, and specifying the offence of which such prisoner shall have been convicted, and the sentence of the court, and the period of imprisonment which he is to undergo, and the day and the hour on which he is to be released; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court, and during the time specified in the said order, or until he be duly discharged or delivered over to other custody before the expiration of that time under an order duly made for that purpose; and in the case of a prisoner undergoing imprisonment under the sentence of a court-martial in any military prison in any part of Her Majesty's dominions, the Secretary of State for War, or the general officer commanding the district or station in which the prison may be situated, shall have the like powers in regard to the discharge and delivery over of such prisoners to military or other custody as may be lawfully exercised by any of the authorities above mentioned in respect of any prisoners undergoing confinement as aforesaid in any public prison other than a military prison, or in any gaol or house of correction in any part of Her Majesty's dominions; and such prisoner in any of the cases herein-before mentioned shall accordingly, on the production of any such order as is herein-before mentioned, be discharged or delivered over, as the case may be: Provided always, that the time during which any prisoner under sentence of imprisonment by a court-martial shall be detained in such military or other custody under such order as aforesaid shall be reckoned as imprisonment under the sentence, for whatever purpose such detention shall take place, and such prisoner may during such time, either when on board ship or otherwise, be subjected to such restraint as is necessary for his detention and removal.

Custody of prisoners under military sentence in common gaols.

41. Every governor, provost marshal, gaoler, or keeper of any public prison, or of any gaol or house of correction, in any part of Her Majesty's dominions, shall receive into his custody any military offender under sentence of imprisonment by a general or other court-martial, upon delivery to him of an order in writing in that behalf from the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral, or from the officer commanding the division or

detachment to which the offender belongs or did last belong or is attached, which order shall specify the period of imprisonment or remainder of imprisonment which the offender is to undergo, and the day and hour of the day on which he is to be released or be otherwise disposed of; and such governor, provost marshal, gaoler, or keeper shall keep such offender in a proper place of confinement, with or without hard labour, and with or without solitary confinement, according to the sentence of the court, and during the time specified in the said order, or until he be discharged or delivered over to other custody before the expiration of that time, under an order duly made for that purpose; and whenever marines are called out in aid of the civil power, or are stationed in billets, or are on the line of march, every governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement shall receive into his custody any marine for a period not exceeding seven days, upon delivery to him of an order in writing in that behalf from the officer commanding such marine; and any governor, provost marshal, gaoler, or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement who shall refuse to receive and to confine, or to discharge or deliver over, any marine offender in the manner herein prescribed, shall forfeit for every such offence the sum of one hundred pounds.

Subsistence of prisoners in common gaols.

42. The gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions shall diet and supply every marine imprisoned therein under the sentence of a court-martial or as a deserter with fuel and other necessaries according to the regulations of such place of confinement, and shall receive on account of every marine during the period of his imprisonment one shilling per diem, or such other sum as the said Lord High Admiral or the said Commissioners may at any time or times direct, which the Secretary of the Admiralty shall cause to be issued out of the subsistence of such marine, upon application in writing signed by any justice within whose jurisdiction such place of confinement shall be locally situated, together with a copy of the order of commitment, and which sum of one shilling per diem, or such other sum as aforesaid, shall be carried to the credit of the fund from which the expense of such place of confinement is defrayed. A sentence of imprisonment or of penal servitude passed either by a court-martial or by any court of criminal jurisdiction upon any person subject to this Act shall be in no respect affected by such person ceasing to be subject to this Act by discharge or otherwise at any time after the passing of such sentence; but the discharge of such person shall not be deemed in any manner to affect the provisions for the cost

of his maintenance while undergoing a sentence of imprisonment or penal servitude, as otherwise enacted.

Notice to be given of expiration of imprisonment in common gaols.

43. Every gaoler or keeper of any public prison, gaol, house of correction, or other place of confinement, to whom any notice shall have been given, or who shall have reason to know or believe, that any person in his custody for any debt or contempt, or upon any charge or for any offence, civil, criminal, or military, is a marine, shall on receiving him into custody give notice thereof to the Secretary of the Admiralty, and also, previous to the expiration of the period of the confinement or imprisonment of such marine, give to the Secretary of the Admiralty one month's notice of the period of such expiration of confinement or imprisonment, or if there shall not be sufficient time for a month's notice, then the longest practicable notice thereof, specifying the day and hour of the day on and at which he is to be released; and for every default of giving either or any of such notices such gaoler or person shall forfeit the sum of twenty pounds; and moreover every gaoler or other person having such immediate inspection as aforesaid shall, as soon as any such marine shall be entitled to be discharged out of custody, with all convenient speed, safely and securely conduct and convey and safely and securely deliver every such marine either unto the officer commanding at the nearest head quarters of the Royal Marines or to the officer commanding Her Majesty's ship to which any such marine may happen to belong, unless the said Commissioners shall, by writing under the hand of the Secretary of the Admiralty, or the officer commanding at the nearest head quarters of the Royal Marines, or the officer commanding Her Majesty's ship to which any such marine may belong, shall, by writing under his hand, direct that such marine be delivered to some other officer or person, in which case he shall be delivered to such other officer or person accordingly, and the officer or person to whom such marine shall be so delivered in accordance with this Act shall thereupon give to such gaoler or person delivering up such marine a certificate, directed to the Secretary of the Admiralty, specifying the receipt of such marine, and, if such gaoler or other person as aforesaid has conducted or conveyed any such marine, specifying the place from and to which he shall have been conducted and conveyed as aforesaid; and such gaoler or person who shall have so conducted, conveyed, and delivered any such marine shall, upon the production of such certificate, be entitled to receive of and from the Accountant General of Her Majesty's Navy the sum of one shilling per mile, and no more, for conducting, conveying, and delivering any such marine as aforesaid; and every such gaoler or other person having such immediate inspection as aforesaid who shall not safely and securely conduct, convey, or deliver any such marine as aforesaid shall for every such misconduct or offence forfeit

and pay the sum of one hundred pounds. In all cases where the marine in custody is under sentence to be discharged from the service on the completion of his term of imprisonment, and the discharge document is in the hands of the gaoler, such gaoler shall not be required to make any report thereof to the Secretary of the Admiralty or to the Deputy Adjutant General of Marines.

Military prisons established under any Act for punishing mutiny and desertion in the army to be deemed public prisons.

44. Every military prison which shall be established under or by virtue of any Act for punishing mutiny and desertion, and for the better payment of the army and their quarters, shall be deemed to be public prisons within the meaning of any Act now in force or hereafter to be in force for the regulation of Her Majesty's Royal Marine forces; and any officer or marine convicted by a court-martial may be sent, by order of the Commissioners for executing the office of Lord High Admiral, to any such military prison, there to undergo such punishment as may be awarded by the sentence passed upon him, or until he be discharged or delivered up by an order, as in the case of a discharge or removal from any other prison under this Act.

Musters, and penalty on false musters.

45. Musters, as have been customary, shall be taken of every division or company of Royal Marines once in every calendar month, as shall be appointed; and no officer or marine shall be absent from any such muster, unless duly certified to be employed on some other duty of the corps, or sick, or in prison, or on furlough; and every person belonging to Her Majesty's service who shall give or procure to be given any untrue certificate thereby to excuse any person from any muster or other service which he ought to attend or perform, or shall make any false or untrue muster of man or horse, or who shall willingly allow or sign any false muster or duplicate thereof, or shall directly or indirectly take or receive any money or gratuity for mustering any person, or for signing any muster roll or duplicate, or shall knowingly muster any person by a wrong name, shall, upon proof by two witnesses before a general court-martial, for any such offence be sentenced to be cashiered: Provided that it shall be lawful for Her Majesty, in all cases whatsoever, instead of causing a sentence of cashiering to be put in execution, to order the offender to be reprimanded, or, in addition thereto, to suffer such loss of rank as may be deemed expedient; and any person who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any horse to be falsely mustered, shall, upon proof thereof by the oaths of two witnesses before some justice of the peace residing near to the place where such muster shall be made, forfeit the sum of twenty pounds, and the informer, if he belongs to Her Majesty's service, shall, if he demand it, be forthwith discharged; and if any person not belonging to Her Majesty's

service shall give or sign any untrue certificate of illness or otherwise in order to excuse any officer or marine from appearance at any muster, or whereby Her Majesty's service may be defrauded, every person so offending shall for every such offence forfeit the sum of fifty pounds.

Verifying of muster rolls.

46. All muster rolls and pay lists of Royal Marines required to be verified upon oath shall be sworn before and attested by any justice of the peace, without fee or reward to himself or his clerk.

Trials for desertion after subsequent re-enlistment.

47. Every marine shall be liable to be tried and punished for desertion from any corps into which he may have unlawfully enlisted, although he may of right belong to another corps, and be a deserter therefrom; and whether such marine shall be tried for deserting from the corps to which he may of right belong, or from the corps into which he may have unlawfully enlisted, or for any other desertion, every desertion previous or subsequent to that for which he may at the time be taking his trial may, if duly stated in the charges, be given in evidence against him on such trial.

Apprehension of deserters.

48. Upon reasonable suspicion that a person is a deserter it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or marine or soldier in Her Majesty's service, or other person, to apprehend or cause to be apprehended such suspected person, and forthwith to bring him or cause him to be brought before any justice living in or near the place where he was so apprehended, and acting for the county, city, district, place, or borough wherein such place is situate, or for the county adjoining such first-mentioned county or such borough; and such justice is hereby authorised and required to inquire whether such suspected person is a deserter, and from time to time to defer the said inquiry, and to remand the said suspected person, in the manner prescribed by an Act passed in the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-two, section twenty-one, and subject to every provision therein contained; and if it shall appear to the satisfaction of such justice, by the testimony of one or more witnesses taken upon oath, or by the confession of such suspected person, confirmed by some corroborative evidence upon oath, or by the knowledge of such justice that such suspected person is a deserter, such justice shall forthwith cause him to be conveyed in civil custody to the head quarters or depôt of the division to which he belongs, if stationed within a convenient and easily accessible distance from the place of commitment, or if not so stationed then to the nearest or most convenient public prison (other than a military prison) or police station legally provided as the lock-up house for temporary confinement of persons taken into custody, whether such prison or police

station be in the county or borough in which such suspected person was apprehended or in which he was committed, or not; or if the deserter has been apprehended by a party of marines in charge of a commissioned officer, such justice may deliver him up to such party, unless the officer shall deem it necessary to have the deserter committed to prison for safe custody; and such justice shall transmit an account of the proceedings, in the form prescribed in the schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such deserter was delivered to a party of marines in order to his being taken to the head quarters or depôt of his division, or whether such deserter was committed to prison, to the end that the person so committed may be removed by an order from the said Lord High Admiral, or the said Commissioners for executing the office of Lord High Admiral, or Deputy Adjutant General of Royal Marines, and proceeded against according to law; and such justice shall also send to the Secretary of the Admiralty a report stating the names of the persons by whom or by or through whose means the deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such justice an order upon the proper department for the payment of the sum of twenty shillings as a reward to the person so certified to be entitled thereto; and for such information, commitment, and report as aforesaid the clerk of the said justice shall be entitled to a fee of two shillings and no more; and every gaoler and other person into whose custody any person charged with desertion is committed shall, immediately upon the receipt of the person so charged into his custody, pay such fee of two shillings, and also, upon the production of a receipt from the medical practitioner who may have been required to examine such suspected person, a fee of two shillings and sixpence, and shall notify the fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a copy of the commitment, to the end that the Secretary of the Admiralty may order repayment of such fees; and that when any such person shall be apprehended and committed as a deserter in any part of Her Majesty's foreign dominions, the justice shall forthwith cause him to be conveyed to some public prison, if the detachment to which he is suspected to belong shall not be in such part, or if the detachment be in such part, the justice may deliver him into custody at the nearest military post, although the detachment to which such person is suspected to belong may not be stationed at such military post, if within reasonable distance; and such justice shall in every case transmit to the officer commanding a description return in the form prescribed in the schedule to this Act annexed, to the end that such person may be removed by the order of such officer, and proceeded against according to law; and such description return, purporting to be duly made and subscribed in accordance with the Act,

shall, in the absence of proof to the contrary, be deemed sufficient evidence of the facts and matters therein stated: Provided always, that any such person so committed as a deserter in any part of Her Majesty's dominions shall, subject to the provisions herein-after contained, be liable to be transferred, by order of the colonel commandant or other officer commanding, to serve in any division, corps, detachment, or party nearest to the place where he shall have been apprehended, or to any other division, corps, detachment, or party to which the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral may deem it desirable that he should be transferred, and shall also be liable after such transfer of service to be tried and punished as a deserter. Transfer of deserters.

49. For and in respect of any marine attempting to desert from any head quarters, the party or parties by whom he shall be apprehended shall be entitled to a reward of ten shillings, to be paid upon the delivering up of such marine, which sum of ten shillings shall be charged against and stopped and retained out of the pay and subsistence of every such marine. Penalty on marines attempting to desert from head quarters.

50. Every gaoler or keeper of any public prison, gaol, house of correction, lock-up house, or other place of confinement in any part of Her Majesty's dominions is hereby required to receive and confine therein every deserter who shall be delivered into his custody by any marine or other person conveying such deserter under lawful authority, on production of the warrant of the justice of the peace on which such deserter shall have been taken, or some order from the Admiralty, which order shall continue in force until the deserter shall have arrived at his destination; and such gaoler or keeper shall be entitled to one shilling for the safe custody of the said deserter while halted on the march, and to such subsistence for his maintenance as shall be directed by the said Lord High Admiral or the said Commissioners. Temporary custody of deserters in gaols.

51. Any person who, while serving in Her Majesty's Navy or in any of Her Majesty's forces, or the embodied militia, shall to any officer, or subordinate, warrant, petty, or non-commissioned officer, fraudulently confess himself to be a deserter from Her Majesty's Royal Marine forces, shall be liable to be tried by any court-martial under this Act, and punished according to the sentence thereof; and any person who shall voluntarily deliver himself up as and confess himself to be a deserter from Her Majesty's Royal Marine forces, or who, upon being apprehended for any offence, shall in the presence of the justice confess himself to be a deserter as aforesaid, shall be deemed to have been duly enlisted and to be a marine, and shall be liable to serve in Her Majesty's Royal Marine forces, whether such person shall have been ever Fraudulent confession of desertion.

actually enlisted as a marine or not; or in case such person shall not be a deserter from the Royal Marine forces, or shall have been discharged therefrom or from any other corps for any cause whatever, or shall be incapable of service, he shall, on conviction thereof before two justices of the peace at or near the place where he shall deliver himself up or confess, or where he may at any time happen to be, be adjudged to be punished, if in England, as a rogue and vagabond, and if elsewhere by commitment to some prison or house of correction, there to be kept to hard labour for any time not exceeding three months, or shall be deemed guilty of obtaining money under false pretences within the true intent and meaning, if in England or Ireland, of an Act passed in the session holden in the twenty-fourth and twenty-fifth years of Queen Victoria, intituled "An Act to consolidate and amend the Statute "Law of England and Ireland relating to Larceny and other similar offences," or, if in Scotland, shall be deemed guilty of falsehood, fraud, and wilful imposition; and every person so deemed to be guilty of obtaining money under false pretences, or of falsehood, fraud, and wilful imposition, (as the case may be,) shall be liable to be proceeded against and punished accordingly; and the confession and receiving subsistence as a marine by such person shall be evidence of the false pretence, or of the falsehood, fraud, and imposition, (as the case may be,) and of the obtaining money to the amount of the value of such subsistence, and the value of such subsistence so obtained may be charged in the indictment as so much money received by such person; and in case such person shall have been previously convicted of the like offence, or shall have been summarily convicted and punished in England as a rogue and vagabond, or in Scotland or Ireland by commitment, for making a fraudulent confession of desertion, such former conviction may be alleged in the indictment, and may be proved upon the trial of such person; and in such indictment for a second offence it shall be sufficient to state that the offender was at a certain time and place convicted of obtaining money under false pretences as a deserter, for making a fraudulent confession of desertion, without otherwise describing the said offence; and a certificate containing the substance and effect only (omitting the formal part) of the indictment and conviction of the former offence, purporting to be signed by the clerk of the court or other officer having the custody of the record of the court where the offender was first convicted, or by the deputy of such clerk, or by the clerk of the convicting magistrates, shall, upon proof of the identity of the person of the offender, be sufficient evidence of the first conviction without proof of the signature or official character of the person appearing to have signed such certificate; and if the person so confessing himself to be a deserter shall be serving at the time in Her Majesty's Royal Marine forces he shall be

24 & 25 Vict. c. 96.

deemed to be and shall be dealt with by all justices and gaolers as a deserter.

Punishment for inducing marines to desert.

52. Any person who shall, in any part of Her Majesty's dominions, by any means whatsoever, directly or indirectly procure any marine to desert or absent himself from his duty without leave from his commanding officer, or attempt to procure or persuade any marine to desert or absent himself from his duty, and any person who, knowing that any marine is absent from his duty without leave from his commanding officer, shall harbour or conceal such marine, or aid or assist such marine in concealing himself, or aid and assist in his rescue, or aid or assist him to desert, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before any two justices acting for the county, district, city, burgh, or place where any such offender shall at any time happen to be, be liable to be committed to the common gaol or house of correction, there to be imprisoned, with or without hard labour, for such term not exceeding six calendar months as the convicting justices shall think fit.

Extension of furlough in case of sickness.

53. When there shall not be any officer of Her Majesty's land or marine forces of the rank of captain or of a superior rank, or any adjutant of militia, within convenient distance of the place where any non-commissioned officer or marine, not borne on the books of any of Her Majesty's ships or vessels in commission as aforesaid, and who shall be on furlough, shall be detained by sickness or other casualty rendering necessary an extension of such furlough, it shall be lawful for any justice who shall be satisfied of such necessity to grant an extension of furlough for a period not exceeding one month; and the said justice shall immediately certify such extension, and the cause thereof, to the commanding officer of the division or detachment to which the man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary allowance of pay and subsistence may be remitted to the marine, who shall not during the period of such extension of furlough be liable to be treated as a deserter: Provided always, that nothing herein contained shall be construed to exempt any marine from trial and punishment according to the provisions of this Act, for any false representation made by him in that behalf to the said officer or justice so extending the furlough, or for any breach of discipline committed by him in applying for and obtaining the said extension of furlough.

Marines liable to be taken out of Her Majesty's service only for felony and certain misde-

54. Any person enlisted into Her Majesty's Royal Marine forces as a marine, or who has received marine enlistment money, shall be liable to be taken out of Her Majesty's service only by process or execution on account of any charge of felony, or on account of misdemeanor, or of any crime or offence other than the misdemeanor of refusing to comply

meanors, or for debts amounting to 30*l.* and upwards;

with an order of justices for the payment of money, or on account of an original debt proved by affidavit of the plaintiff or of some one on his behalf to amount to the value of thirty pounds at the least over and above all costs of suit, such affidavit to be sworn, without payment of any fee, before some judge of the court out of which process or execution shall issue, or before some person authorised to take affidavits in such court, of which affidavit, when duly filed in such court, a memorandum shall, without fee, be endorsed upon the back of such process, stating the fact sworn to, and the day of filing such affidavit; but no marine or other person as aforesaid shall be liable by any process whatever to appear before any justice of the peace or other authority whatsoever, or to be taken out of Her Majesty's service by any writ, summons, order, warrant, judgment, execution, or any process whatever issued by or by the authority of any court of law, or any magistrate, justice or justices of the peace, or any other authority whatsoever, for any original debt not amounting to thirty pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left chargeable to any parish, township or place, or to the common fund of any union, any relation or child which such marine or person might, if not in Her Majesty's service, be compellable by law to relieve or maintain, or for neglecting to pay to the mother of any bastard child, or to any person who may have been appointed to have the custody of such child, any sum to be paid in pursuance of an order in that behalf, or for the breach of any contract, covenant, agreement, or other engagement whatever, by parol or in writing, or for having left or deserted his employer or master, or his contract, work, or labour; and all summonses, warrants, commitments, indictments, convictions, judgments, and sentences, on account of any of the matters for which it is herein declared that a marine is not liable to be taken out of Her Majesty's service, shall be utterly illegal, and null and void to all intents and purposes; and any judge of any such court may examine into any complaint made by a marine or by his superior officer, and by warrant under his hand discharge such marine, without fee, he being shown to have been arrested contrary to the intent of this Act, and shall award reasonable costs to such complainant, who shall have for the recovery thereof the like remedy as would have been applicable to the recovery of any costs which might have been awarded against the complainant in any judgment or execution as aforesaid, or a writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the discharge of any such marine out of custody shall be ordered thereupon; provided that any plaintiff, upon notice of the cause of action first given in writing to any marine or left at his last quarters, may proceed in any action or suit to judgment, and have execution other than against the body or

but not liable to be taken out of Her Majesty's service for debts under 30*l.*, or for not maintaining their families, or for breach of contract.

marine necessaries or equipments of such marine: Provided also, that nothing herein contained relating to the leaving or deserting a master or employer, or to the breach of any contract, agreement, or engagement, shall apply to persons who shall be really and bonâ fide apprentices duly bound under the age of twenty-one years, as herein prescribed.

Officers not to be sheriffs, mayors, &c.

55. No person who shall be commissioned and in full pay as an officer in the Royal Marine forces, or who shall be employed in enlisting for such forces, shall be capable of being nominated or elected to be sheriff, and no such officer and no non-commissioned officer of such forces shall be capable of being nominated or elected to be a constable, or overseer, guardian of any union, or any officer of a like description, of any county, hundred, riding, city, borough, town, division, parish, or other place, or to be mayor, portreeve, alderman, or to hold any office in any municipal corporation in any city, borough, or place in Great Britain or Ireland, or be summoned or shall serve as a grand or petit or other juror or upon any inquest, and any summons for him to attend to serve as a grand or petit or other juror or upon an inquest shall be null and void; and every such person is hereby exempted from attendance and service in accordance with any such summons and from all fines, pains, and penalties for or in consequence of not attending or serving as aforesaid.

Questions to be put to recruits on enlisting.

56. Every person authorised to enlist recruits for the Royal Marines shall first ask the person offering to enlist whether he belongs to any and what force in Her Majesty's service, and also such other questions as the said Lord High Admiral or the said Commissioners may direct to be put to such persons, and in case of a recruit shall, immediately after giving him enlisting money, serve him with a notice in the form set forth in the schedule to this Act annexed.

Recruits when deemed to be enlisted.

57. Every person who shall receive enlisting money in manner aforesaid shall upon such receipt be deemed to be enlisted as a marine in Her Majesty's service, and while he shall remain with the recruiting party shall be entitled to be billeted.

When recruits to be taken before a justice.

58. Every person so enlisted as aforesaid shall, within ninety-six hours (any intervening Sunday, Christmas Day, or Good Friday not included), but not sooner than twenty-four hours after such enlistment, appear, together with some person employed in the recruiting service, before a justice of the peace, not being an officer of the marines, for the purpose of being attested as a marine, or of objecting to his enlistment.

Dissent and relief from enlistment.

59. When a recruit, upon appearing before a justice for the purposes aforesaid, shall dissent from or object to his enlistment, and shall satisfy the justice that the same was

effected in any respect irregularly, he shall forthwith discharge the recruit absolutely, and shall report such discharge to the commandant of the division for which the marine shall have enlisted; but if the recruit so dissenting shall not allege or shall not satisfy the justice that the enlistment was effected irregularly, nevertheless upon repayment of the enlisting money and of any sum received by him in respect of pay or allowances, and of a further sum of twenty shillings as smart money, he shall be entitled to be discharged; and the sum paid by such recruit upon his discharge shall be kept by the justice, and, after deducting therefrom one shilling as the fee for reporting the payment to the Secretary of the Admiralty and to the said commandant, shall be paid over to any person belonging to the recruiting party who may demand the same; and the justice who shall discharge any recruit shall in every case give a certificate thereof, signed with his hand, to the recruit, specifying the cause thereof.

Attesting of recruits.

60. If the recruit on appearing before a justice shall not dissent from his enlistment, or dissenting shall within twenty-four hours return and state that he is unable to pay the sums mentioned in the last section, he shall be attested as follows: the justice, or some person deputed by him, shall read to the recruit the questions set forth in the form contained in the schedule to this Act annexed, cautioning him that if he fraudulently make any false answer thereto he shall be liable to be punished as a rogue and vagabond, and the answers of the recruit shall be recorded opposite to the said questions, and the justice shall require the recruit to make and sign the declaration in the said form, and shall then administer to him the oath of allegiance in the said form; and when the recruit shall have signed the said declaration and taken the oath, the justice shall attest the same by his signature, and shall deliver to the recruiting officer the declaration so signed and attested, and the fee for such attestation, including the declaration and oath, shall be one shilling and no more; and any recruit shall, if he so wish, be furnished with a certified copy of the above-mentioned declaration by the officer who finally approved of him for the service.

Recruits until they have been attested or received pay not triable by court-martial, but in certain cases punishable as rogues and vagabonds.

61. No recruit, unless he shall have been attested or shall have received pay other than enlisting money, shall be liable to be tried by court-martial; but if any person, previously to his being attested or enrolled, shall by means of any false answer obtain enlistment or other money, or shall make any false statement in his declaration, or shall refuse to answer any question duly authorised to be put to him for the purpose of filling up such declaration, or shall refuse or neglect to go before a justice for the purposes aforesaid, or having in the case of a recruit dissented from his enlistment shall wilfully omit to return and pay such money as aforesaid, in any of

such cases it shall be lawful for any two justices within the United Kingdom, or for any one justice out of the United Kingdom, acting for the county, district, city, burgh, or place where any such person shall at any time happen to be, when he shall be brought before them or him, if in England, to adjudge him to be a rogue and vagabond, and to sentence him to be punished accordingly, and if in Scotland or Ireland, or elsewhere in Her Majesty's dominions, to be imprisoned with hard labour in any prison or house of correction for any period not exceeding three calendar months. And any marine who shall have given any false answer at the time of or relative to his becoming a marine shall forfeit all pay, wages, and other moneys, be the same naval, marine, or otherwise, which he might otherwise have been entitled to for any period of service in the Royal Marines.

Attested recruits triable in some cases either before two justices or before a court-martial.

62. Any person who shall have been attested or enrolled, and who shall afterwards be discovered to have given any wilfully false answer to any question directed to be put by the proper authorities, or shall have made any wilfully false statement in the declaration herein-before mentioned, shall be liable, at the discretion of the said Lord High Admiral or the said Commissioners, to be proceeded against before two justices in the manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a district or garrison court-martial for the same, and punished in such manner as such court shall direct, and the declaration made by such person on his attestation or enrolment, purporting to be made in accordance with the schedule to this Act annexed, or with the regulations of the said Lord High Admiral or the said Commissioners, shall, in the absence of proof to the contrary, be deemed sufficient evidence, whether before such justice or justices, or before any court-martial, of such person having represented the several particulars as stated in such declaration.

Recruits absconding.

63. If any recruit shall abscond so that it is not possible immediately to apprehend and bring him before a justice for attestation, the recruiting party shall produce to the justice before whom the recruit ought regularly to have been brought for that purpose a certificate of the name and place of residence and description of such recruit and of his having absconded, and shall declare the same to be true, and the justice to whom such certificate shall be produced shall transmit a duplicate thereof to the Secretary of the Admiralty in order that the same may appear in the "Police Gazette." For the purposes of this section and all purposes of attestation and enlistment a justice of any county or borough shall be deemed to be a justice of any other county or borough.

As to militiamen enlisting

64. If any man while belonging to a militia regiment shall enlist in and be attested for Her Majesty's Royal Marines, he

into regular forces.

shall be liable to be tried before a court-martial on a charge for desertion; but it shall be lawful for the Secretary of State for War, on the confession thereof by such militiaman, or on other proof thereof, to order that in lieu of his being so tried he shall be subjected to a stoppage of one penny a day of his pay for eighteen calendar months, and in case such militiaman shall have belonged to the militia reserve at the time of his attestation he shall be subjected to a further stoppage of one penny a day for two hundred and forty days, to be applied as the Secretary of State for War shall direct, and further to determine whether such man shall be returned to his militia regiment after such sum shall have been made good, or shall be deemed to be a marine in the same manner as he would have been if he had not been a militiaman at the time of his attestation: Provided also, that every soldier who, while belonging to a militia regiment, enlisted in Her Majesty's Royal Marines, whether such enlistment took place before or after the passing of the Mutiny Act, 1860, shall reckon service towards the performance of his limited engagement from the date of his attestation: Provided also, that any such soldier shall not reckon service for pension until the day on which his engagement for the militia would have expired; but if any such soldier shall, subsequently to his enlistment, have rendered long, faithful, or gallant service, the Lords Commissioners of the Admiralty may, upon the special recommendation of the Deputy Adjutant General, Royal Marines, order that he may reckon service for pension from the date of his attestation.

Volunteer permanent staff officers enlisting into regular forces.

65. If any non-commissioned officer of the volunteer permanent staff shall enlist into the Royal Marines, he may be tried and punished as a deserter, but if he confesses his desertion the Secretary of State for War, instead of causing him to be tried and punished as a deserter, may cause him to be returned to his service on the volunteer permanent staff, to be there put under stoppages from his pay until he has repaid the amount of any bounty received by him, and the expenses attending his enlistment, and also the value of any arms, &c. issued to him while on the volunteer permanent staff, and not duly delivered up by him, or may cause him to be held to his service in the Royal Marines with a direction, if it seems fit, that his term of service therein shall not be reckoned for pension until the time when his engagement on the volunteer permanent staff would have expired, and may further cause him to be put under stoppages of one penny a day of his pay until he has repaid the expense attending his engagement or attestation on the volunteer permanent staff, and also the value of any arms, clothing, or appointments issued to him while on the volunteer permanent staff, and not duly delivered up by him.

Penalty on persons offending as to enlistment.

66. Every person subject to this Act who shall wilfully act contrary to any of its provisions in any matter relating to the enlisting or attesting of recruits for Her Majesty's service shall be liable to be tried for such offence by a general or other court-martial, and to be sentenced to such punishment, other than death or penal servitude, as such court may award.

As to re-enlistment abroad.

67. It shall be lawful for any justice of the peace or person exercising the office of a magistrate within any of Her Majesty's dominions abroad, or for the officer commanding any ship or vessel of Her Majesty on the books of which any marine may be borne, or on board of which any such marine may be, or, notwithstanding anything in this Act contained, for the commanding officer of any battalion or detachment of Royal Marines, whether borne on the books of any one of Her Majesty's ships or otherwise, to re-engage or enlist and attest out of Great Britain or Ireland any marine desirous of re-enlisting or re-engaging into Her Majesty's Royal Marine forces, if such marine be considered by such commanding officer, justice, or magistrate a fit person to continue in Her Majesty's service; and every such commanding officer, justice, or magistrate shall have the same powers in that behalf as are by this or any other Act of Parliament given to justices of the peace in the United Kingdom for all such purposes of enlistment and attestation, and any marine so re-enlisted or re-engaged shall be deemed to be an attested marine.

Apprentices enlisting to be liable to serve after the expiration of their apprenticeship.

68. Any person duly bound as an apprentice who shall enlist into Her Majesty's Royal Marine forces, and shall falsely state to the magistrate before whom he shall be carried and attested that he is not an apprentice, shall be deemed guilty of obtaining money by false pretences, if in England or in Ireland, and of falsehood, fraud, and wilful imposition, if in Scotland, and shall after the expiration of his apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a marine according to the terms of the enlistment, and if on the expiration of his apprenticeship he shall not deliver himself up to some officer authorised to receive recruits, such person may be taken as a deserter from Her Majesty's Royal Marine forces.

Claims of masters to apprentices.

69. No master shall be entitled to claim an apprentice who shall enlist as a marine in Her Majesty's service unless such master shall, within one calendar month next after such apprentice shall have left his service, go before some justice, and take the oath mentioned in the schedule to this Act annexed, and at the time of making his claim produce to the officer under whose command the recruit shall be the certificate of such justice of his having taken such oath, which certificate such justice is required to give in the form in the schedule to this Act annexed; nor unless such apprentice shall have

been bound, if in England, for the full term of five years, (not having been above the age of fourteen years when so bound,) and, if in Ireland or in the British Isles, for the full term of five years at the least, (not having been above the age of sixteen when so bound,) and, if in Scotland, for the full term at least of four years, by a regular contract or indenture of apprenticeship, duly extended, signed, and tested, and binding on both parties by the law of Scotland prior to the period of enlistment, and unless such contract or indenture in Scotland shall, within three months after the commencement of the apprenticeship and before the period of enlistment, have been produced to a justice of the peace of the county in Scotland wherein the parties reside, and there shall have been endorsed thereon by such justice a certificate or declaration signed by him specifying the date when and the person by whom such contract or indenture shall have been so produced, which certificate or declaration such justice of the peace is hereby required to endorse and sign; nor unless any such apprentice shall, when claimed by such master, be under twenty-one years of age: Provided always, that any master of an apprentice indentured for the sea service shall be entitled to claim and recover him in the form and manner above directed, notwithstanding such apprentice may have been bound for a less term than five or four years as aforesaid: Provided also, that any such master who shall give up the indentures of apprenticeship within one month after the enlisting of such apprentice shall be entitled to receive, to his own use, so much of the bounty payable to such recruit as shall not have been paid to such recruit before notice given of his being an apprentice.

No apprentice claimed by the master shall be taken away without a warrant.

70. No apprentice claimed by his master shall be taken from any division, detachment, recruiting party, or ship of Her Majesty, except under a warrant of a justice residing near and within whose jurisdiction such apprentice shall then happen to be, and before whom he shall be carried; and such justice shall inquire into the matter upon oath (which oath he is hereby empowered to administer,) and shall require the production and proof of the indenture, and that notice of the said warrant has been given to the commanding officer, and a copy thereof left with some officer or non-commissioned officer of the party, and that such person so enlisted declared that he was no apprentice; and such justice, if required by such officer or non-commissioned officer, shall commit the offender to the common gaol of the county, division, or place for which such justice is acting, and shall keep the indenture to be produced when required, and shall bind over such person as he may think proper to give evidence against the offender, who shall be tried at the next or at the sessions immediately succeeding the next general or quarter sessions of such county, division, or place, unless the court shall for just cause put off the trial; and the pro-

Punishment of apprentices enlisting.

duction of the indenture, with the certificate of the justice that the same was proved, shall be sufficient evidence of the said indenture; and every such offender in Scotland may be tried by the judge ordinary in the county or stewartry in such and the like manner as any person may be tried in Scotland for any offence not inferring a capital punishment: Provided always, that any justice not required as aforesaid to commit such apprentice may deliver him to his master.

Removal of doubts as to attestation of marines.

71. No person who shall for six months, and either before or after the passing of this Act, have received pay and be borne on the strength and pay list of any division of Her Majesty's Royal Marine forces, of which the last quarterly pay list (if produced) shall be evidence, or been borne as a marine on the books of any of Her Majesty's ships in commission, shall be entitled to claim his discharge on the ground of error or illegality in his enlistment or attestation or re-engagement, or on any other ground whatsoever, but, on the contrary, every such person shall be deemed to have been duly enlisted, attested, or re-engaged, as the case may be.

Power to Admiralty to order pay to be withheld.

72. It shall also be lawful for the Lord High Admiral, and also for the said Commissioners for executing the office of Lord High Admiral, to give orders for withholding the pay of any officer or marine for any period during which such officer or marine shall be absent without leave, or improperly absent from his duty, or in case of any doubt as to the proper issue of pay to withhold it from the parties aforesaid until the said Lord High Admiral or the said Commissioners shall come to a determination upon the case.

Billeting of marines.

73. And whereas there is and may be occasion for the marching and also for the quartering of the Royal Marine forces when on shore: Be it enacted, that during the continuance of this Act, upon the order or orders in writing in that behalf under the hand of the Lord High Admiral, or the hands of two or more of the Commissioners for executing the office of Lord High Admiral for the time being, or upon the order or orders in writing in that behalf under the hand of any colonel commandant or commanding officer of any division of Royal Marines, it shall be lawful for all constables and other persons specified in this Act in Great Britain and Ireland, and they are hereby required, to billet the officers and marines, whether marching or otherwise, and all staff and field officers horses, and all bât and baggage horses belonging to the Royal Marine forces, when on actual service, not exceeding for each officer the number for which forage is or shall be allowed by Her Majesty's regulations, in victualling houses and other houses specified in this Act, taking care in Ireland not to billet less than two men in any one house; and they shall be received by the occupiers of the houses in which they are so billeted, and

be furnished by such victualler with proper accommodation in such houses, and with a separate bed for each marine, or if any victualler shall not have sufficient accommodation in the house upon which a marine is billeted, then in some good and sufficient quarters to be provided by such victualler in the immediate neighbourhood, and in Great Britain with diet and small beer, and in Great Britain and Ireland with stables, oats, hay, and straw for such horses as aforesaid, paying and allowing for the same the several rates herein-after provided; and at no time when marines are on their march shall any of them be billeted above one mile from the place mentioned in the route, care being always taken that the billets be made out for the less distant houses in which suitable accommodation can be found before making out billets for the more distant; and in all places where marines shall be billeted in pursuance of this Act, the officers and their horses shall be billeted in one and the same house, except in case of necessity; and the constables are hereby required to billet all marines on their march in the manner required by this Act upon the occupiers of all houses within one mile of the place mentioned in the route, and whether they be in the same or a different county in like manner in every respect as if such houses were all locally situated within such place: Provided always, that nothing herein contained shall be construed to extend to authorise any constable to billet marines out of the county to which such constable belongs when the constable of the adjoining county shall be present and shall undertake to billet the due proportion of men in such adjoining county; and no more billets shall at any time be ordered than there are effective marines and horses present to be billeted; all which billets, when made out by such constables, shall be delivered into the hands of the commanding officer present, or to the non-commissioned officer on the spot; and if any person shall find himself aggrieved by having an undue proportion of marines billeted in his house, and shall prefer his complaint, if against a constable or other person not being a justice, to one or more justices, and if against a justice, then to two or more justices, within whose jurisdiction such marines are billeted, such justices respectively shall have power to order such of the marines to be removed and to be billeted upon other persons as they shall see cause; and when any horses belonging to the officers of Her Majesty's Royal Marine forces shall be billeted upon the occupiers of houses who shall have no stables, then, upon a written requisition of the officer commanding such marines, the constable is hereby required to billet the horses upon some other person or persons having stables, and who are by this Act liable to have officers and marines billeted upon them, and any two or more justices of the peace may order a proper allowance to be paid by the persons relieved to the persons receiving such horses, or to be applied in the furnishing the requisite accommodation; and the

commanding officer may exchange any man or horse billeted in any place with another man or horse billeted in the same place, for the convenience or benefit of the service, provided the number of men and horses do not exceed the number at that time billeted on such houses respectively, and the constables are hereby required to billet such men and horses so exchanged accordingly; and it shall be lawful for any justice, at the request of any officer or non-commissioned officer commanding any marines requiring billets, to extend any route, or to enlarge the district within which billets shall be required, in such manner as shall appear to be most convenient to Her Majesty's service: Provided also, that to prevent or punish all abuses in billeting marines, it shall be lawful for any justice, within his jurisdiction, by warrant or order under his hand, to require any constable to give him an account in writing of the number of officers and marines who shall be quartered by such constables, together with the names of the persons upon whom such officers and marines are billeted, stating the street or place where such persons dwell, and the signs, if any, belonging to the houses: Provided always, that no officer shall be compelled or compellable to pay anything for his lodging where he shall be duly billeted: Provided also, that no justice being an officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing quarters under this Act.

Allowance to innkeepers.

74. The innholder or other person on whom any marine is billeted in Great Britain shall, if required by such marine, furnish him for every day on the march, and for a period not exceeding two days, when halted at any intermediate place upon the march, and for the day of the arrival at the place of final destination, with one hot meal in each day, the meal to consist of such quantities of diet and small beer as may be fixed by Her Majesty's regulations, not exceeding one pound and a quarter of meat previously to being dressed, one pound of bread, one pound of potatoes or other vegetables, and two pints of small beer, and vinegar, salt, and pepper, and for such meal the innholder or other person furnishing the same shall be paid the sum of tenpence, and twopence halfpenny for a bed; and all innholders and other persons on whom marines may be billeted in Great Britain or Ireland, except when on the march in Great Britain, and entitled to be furnished with the hot meal as aforesaid, shall furnish such marines with a bed and with candles, vinegar, and salt, and shall allow them the use of fire, and the necessary utensils for dressing and eating their meat, and shall be paid in consideration thereof the sum of fourpence per diem for each marine; and the sum to be paid to the innholder or other person on whom any of the horses belonging to Her Majesty's Royal Marine forces shall be billeted, in Great Britain or Ireland, for ten pounds of

oats, twelve pounds of hay, and eight pounds of straw, shall be one shilling and ninepence per diem for each horse; and every officer or non-commissioned officer commanding a division, detachment, or party shall every four days, or before they shall quit their quarters if they shall not remain so long as four days, settle and discharge the just demands of all victuallers or other persons upon whom such officers, marines, or horses are billeted, out of the pay and subsistence of such officers and marines, before any part of the said pay or subsistence be paid or distributed to them respectively; and if any such officer or non-commissioned officer shall not pay the same as aforesaid, then, upon complaint and oath made thereof by any two witnesses before two justices of the peace for the county, riding, division, liberty, city, borough, or place where such quarters were situate, sitting in quarter or petty sessions, the Secretary of the Admiralty is hereby required, upon certificate of the justices before whom such oath shall be made of the sum due to complainant, to order payment of the amount which shall be charged against such officer; and in case of any marines being suddenly ordered to march, and of the commanding officer or non-commissioned officer not being enabled to make payment of the sums due on account of billets, every such officer or non-commissioned officer shall before his departure make up the account with every person upon whom any such marines may have been billeted and sign a certificate thereof; which account and certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the account of such officer or non-commissioned officer.

Supply of carriages.

75. For the regular provision of carriages for the Royal Marine forces and their baggage on their marches in Great Britain and Ireland, all justices of the peace within their several jurisdictions, being duly required thereunto by order of the said Lord High Admiral, or two or more of the Commissioners for executing the said office of Lord High Admiral for the time being, or any colonel commandant or commanding officer of a division of Royal Marines, shall, on the production of such order, or a copy thereof certified by the commanding officer, to them or any one or more of them, by the officer or non-commissioned officer of the party of marines so ordered to march, issue a warrant to any constable having authority to act in any place from, through, near, or to which such marines shall be ordered to march, (for each of which warrants a fee of one shilling only shall be paid,) requiring him to provide the carriages, horses, oxen, and drivers therein mentioned, (allowing sufficient time to do the same,) specifying the places from and to which the said carriages shall travel, and the distance between the places, for which distance only so specified payment shall be demanded, and which distance shall not, except

in cases of pressing emergency, exceed the day's march prescribed in the order of route, and shall in no case exceed twenty-five miles; and the constables receiving such warrant shall order such persons as they shall think proper, having carriages, to furnish the requisite supply, who are hereby required to furnish the same accordingly; and in case sufficient carriages cannot be procured within the proper jurisdiction, any justice of the next adjoining jurisdiction shall, by a like course of proceeding, supply the deficiency; and in order that the burden of providing carriages may fall equally, and to prevent inconvenience arising from there being no justice residing near the place where marines may be quartered on the march, the justice or justices residing nearest to such place shall cause a list to be made out, at least once in every year, of all persons liable to furnish such carriages, and of the number and description of their said carriages, which list shall at all seasonable hours be open to the inspection of the said persons, and shall by warrant under his hand authorise the constables within his jurisdiction to give orders to provide carriages without any special warrant from him for that purpose, which orders shall be valid in all respects; and all orders for such carriages shall be made from such lists in regular rotation, so far as the same can be done.

Rates for carriages.

76. In every case in which the whole distance for which any carriage shall be impressed shall be under one mile the rate of a full mile shall be paid; and the rates to be paid for carriages impressed shall be, in Great Britain, for every mile which a waggon with four or more horses, or a wain with six oxen or four oxen and two horses, shall travel, one shilling; and for every mile any waggon with narrow wheels, or any cart with four horses carrying not less than fifteen hundredweight, shall travel, ninepence; and for every mile every other cart or carriage with less than four horses, and not carrying fifteen hundredweight, shall travel, sixpence; and in Ireland for every hundredweight loaded on any wheel carriage one halfpenny per mile; and in Great Britain such further rates may be added, not exceeding a total additional sum per mile of fourpence, threepence, or twopence to the respective rates of one shilling, ninepence, and sixpence, as may seem reasonable to the justices assembled at general sessions for their respective districts, or to the recorder at the sessions of the peace of any municipal city, borough, or town; and the order of such justices or recorder shall specify the average price of hay and oats at the nearest market town at the time of fixing such additional rates, and the period for which the order shall be enforced, not exceeding ten days, beyond the next general sessions; and no such order shall be valid unless a copy thereof, signed by the presiding magistrate and one other justice, or by the recorder, shall be transmitted to the Secretary of the Admiralty within

three days after the making thereof; and also in Great Britain when the day's march shall exceed fifteen miles, the justice granting his warrant may fix a further reasonable compensation not exceeding the usual rate of hire fixed by this Act; and when additional rates or compensation shall be granted, the justice shall insert in his own hand in the warrant the amount thereof, and the date of the order of sessions, if fixed by sessions and the warrant shall be given to the officer commanding as his voucher; and the officer or non-commissioned officer demanding carriages by virtue of the warrant of a justice shall, in Great Britain, pay down the proper sums into the hands of the constable providing carriages, who shall give receipts for the same on unstamped paper; and in Ireland, the officers or non-commissioned officers as aforesaid shall pay the proper sums to the owners or drivers of the carriages, and one third part of such payment shall be made before the carriage be loaded, and all the said payments in Ireland shall be made, if required, in presence of a justice or constable; and no carriage shall be liable to carry more than thirty hundredweight in Great Britain, and in Ireland no car shall be liable to carry more than six hundredweight, and no dray more than twelve hundredweight; but the owner of such carriages in Ireland consenting to carry a greater weight shall be paid at the same rate for every hundredweight of the said excess; and the owners of such carriages in Ireland shall not be compelled to proceed, though with any less weight, under the sum of threepence a mile for each car and sixpence a mile for each dray; and the loading of such carriages in Ireland shall be first weighed, if required, at the expense of the owner of the carriage, if the same can be done in a reasonable time without hindrance of Her Majesty's service: Provided also, that a cart with one or more horses, for which the furnisher shall receive ninepence a mile shall be required to carry fifteen hundredweight at the least; and that no penalties or forfeitures in any Act relating to highways or turnpike roads in the United Kingdom shall apply to the number of horses or oxen or weight of loading of the aforesaid carriages, nor shall any such carriages on that account be stopped or detained; and whenever it shall be necessary to impress carriages for the march of marines from Dublin at least twenty-four hours notice of such march, and in case of emergency as long notice as the case will admit, shall be given to the Lord Mayor of Dublin, who shall summon a proportional number of cars and drays at his discretion out of the licensed cars and drays and other cars and drays within the county of the said city, and they shall by turns be employed on this duty at the prices and under the regulations herein-before mentioned; and no country cars, drays, or other carriages coming to markets in Ireland shall be detained or employed against the will of the owners in carrying the baggage of marines on any pretence whatever.

77. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of Ireland, by their or his orders distinctly stating that a case of emergency doth exist, signified by the Secretary of the Admiralty, or, if in Ireland, by the chief secretary or under secretary, or the first clerk in the military department, to authorise any commanding officer of Her Majesty's Royal Marine forces in any district or place, or to the chief acting agents for the supply of stores and provisions, by writing under his hand, reciting such order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all justices within their several jurisdictions in Great Britain and Ireland to issue their warrants for the provision, not only of waggons, wains, carts, and cars kept by or belonging to any person and for any use whatsoever, but also of saddle horses, coaches, postchaises, chaises, and other four-wheeled carriages kept for hire, and of all horses kept to draw carriages licensed to carry passengers, and also of boats, barges, and other vessels used for the transport of any commodities whatsoever upon any canal or navigable river as shall be mentioned in the said warrants, therein specifying the place and distance to which such carriages or vessels shall go; and on the production of such requisition, or a copy thereof certified by the commanding officer, to such justice, by any officer of the corps ordered to be conveyed, such justice shall take all the same proceedings in regard to such additional supply so required on such emergency as he is by this Act required to take for the ordinary provision of carriages; and all provisions whatsoever of this Act as regards the procuring of the ordinary supply of carriages, and the duties of officers and non-commissioned officers, justices, constables, and owners of carriages in that behalf, shall be to all intents and purposes applicable for the providing and payment according to the rates of posting or of hire usually paid for such other description of carriages or vessels so required on emergency, according to the length of the journey or voyage in each case, but making no allowance for post horse duty, or turnpike, canal, river, or lock tolls, which duty or tolls are hereby declared not to be demandable for such carriages and vessels while employed in such service or returning therefrom; and it shall be lawful to convey thereon not only the baggage, provisions, and military stores of such detachment, but also the officers, marines, servants, women, children, and other persons of and belonging to the same.

As to supply of carriages, &c. in cases of emergency.

78. It shall be lawful for the justices of the peace assembled at their quarter sessions to direct the treasurer to pay, without fee, out of the public stock of the county or riding, or if such public stock be insufficient then out of moneys which the said justices shall have power to raise for that purpose, in like

Justices of peace to direct payment of sums expended for carriages, &c.

manner as for county gaols and bridges, such reasonable sums as shall have been expended by the constables within their respective jurisdictions for carriages and vessels, over and above what was or ought to have been paid by the officer requiring the same, regard being had to the season of the year and the condition of the ways by which such carriages and vessels are to pass ; and in Scotland such justices shall direct such payments to be made out of the rogues money and assessments directed and authorised to be assessed and levied by an Act passed during the session holden during the twentieth and twenty-first years of the reign of Her present Majesty, chapter seventy-two.

Lord Lieutenant of Ireland may depute persons to sign routes.

79. It shall be lawful for the said Lord Lieutenant or other Chief Governor for the time being of Ireland to depute, by warrant under his hand and seal, some proper person to sign routes in cases of emergency for the marching of any of Her Majesty's Royal Marine forces in Ireland in the name of such Lord Lieutenant or Chief Governor.

Exemption from tolls.

80. All officers and marines on duty or on their march, being in proper uniform, dress or undress, and their horses and baggage, and all recruits marching by route, and all prisoners under military escort, and all carriages and horses belonging to Her Majesty or employed in her service under the provisions of this Act, or in any of Her Majesty's colonies, when employed in conveying any such persons as aforesaid or their baggage or stores, or returning from conveying the same, shall be exempted from the payment of any duties and tolls on embarking or disembarking from or upon any pier, wharf, quay, or landing place, or in passing along or over any turnpike or other roads or bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any prescription, grant, or custom, or by virtue of any Act or ordinance, order or direction, of any colonial legislature or other authority in any of Her Majesty's colonies; and if any toll collector shall demand or receive toll from any marine officer or marine on duty or on their march who shall be in proper uniform, dress or undress, or for their horses, and who by this Act is exempted from payment thereof, or from any recruits marching by route, or from any prisoners under military escort, or for any carriages or horses belonging to Her Majesty or employed in her service under the provisions of this Act, when conveying persons or baggage, or stores, or returning therefrom, every such collector shall for every such offence be liable to a penalty not exceeding five pounds ; provided that nothing herein contained shall exempt any boats, barges, or other vessels employed in conveying the said persons, horses, baggage, or stores along any canal from payment of tolls in like manner as other boats, barges, and vessels are liable thereto, except when employed in cases of emergency as

herein mentioned; and that when any officers or marines on service shall have occasion in the march by route to pass regular ferries in Scotland, the officer commanding shall be at liberty to pass over with his marines as passengers, paying for himself and each marine one half only of the ordinary rate payable by passengers, or he shall be at liberty to hire the ferry boat for himself and his party, debarring all others for that time, and shall in such case pay only half the ordinary rate for such boat.

Marching money on discharge.

81. Every marine upon being discharged from the service shall be entitled to an allowance (not exceeding in any case the amount of twenty-one days marching money) to enable him to reach his home, or the place at which he shall at the time of his discharge decide to take up his residence, such place not being at a greater distance from the place of his discharge than the place of his original enlistment, which allowance shall be calculated according to the distance he has to travel: Provided always, that no person who shall purchase his own discharge, or be discharged on account of misbehaviour, or at his own desire, before the expiration of his period of service, shall be entitled to any such allowance.

Penalties upon civil subjects offending against the laws relating to billets and carriages.

82. If any constable or other person who by virtue of this Act shall be employed in billeting any officers or marines in any part of the United Kingdom shall presume to billet any such officer or marine in any house not within the meaning of this Act without the consent of the owner or occupier thereof; or shall neglect or refuse to billet any officer or marine on duty when thereunto required in such manner as is by this Act directed, provided sufficient notice be given before the arrival of such marines; or shall receive, demand, or agree for any money or reward whatsoever in order to excuse any person from receiving any such officer or marine; or shall quarter any of the wives, children, men or maid servants of any officer or marine in any such houses against the consent of the occupiers; or shall neglect or refuse to execute such warrants of the justices as shall be directed to him for providing carriages, horses, or vessels, or shall demand more than the legal rates for the same; or if any person ordered by any constable in manner herein-before directed to provide carriages, horses, or vessels shall refuse or neglect to provide the same according to the orders of such constable, or shall demand more than the legal rates for the same, or shall do any act or thing by which the execution of any warrants for providing carriages, horses, or vessels shall be hindered; or if any person liable by this Act to have any officer or marine quartered on him shall refuse to receive any such officer or marine, or to afford him proper accommodation or diet in the house of such person in which he is quartered, or to furnish the several things directed to be furnished to officers and marines, or shall neglect or re-

fuse to furnish good and sufficient stables, together with good and sufficient oats, hay, and straw in Great Britain and Ireland, for each horse, in such quantities and at such rates as herein-before provided, or if any innkeeper or victualler not having good and sufficient stables shall refuse to pay over to the person or persons who may provide stabling such allowance by way of compensation as shall be directed by any justice of the peace, or shall pay any sum of money to any marine on the march in lieu of furnishing in kind the diet and small beer to which such marine is entitled; such constable, victualler, and other person respectively shall forfeit for every offence, neglect, or refusal any sum not exceeding five pounds nor less than forty shillings; and if any person shall personate or represent himself to be a marine or marine recruit with the view of fraudulently obtaining a billet or money in lieu thereof he shall for every such offence forfeit any sum not exceeding five pounds nor less than twenty shillings.

Penalty upon officers of marines so offending.

83. If any officer of Royal Marines shall take upon him to quarter men otherwise than is allowed by this Act, or shall use or offer any menace or compulsion to or upon any justice, constable, or other civil officer tending to deter and discourage any of them from performing any part of their duty under this Act, or to do anything contrary thereto, such officer shall for every such offence, being thereof convicted before any two or more justices of the county by the oath of two credible witnesses, be deemed and taken to be ipso facto cashiered, and shall be utterly disabled to hold any military employment in Her Majesty's service; provided a certificate of such conviction be forthwith transmitted by the said justices to the Secretary of the Admiralty, and that the conviction be affirmed at some quarter sessions of the peace for the said county to be held next after the expiration of three months after such certificate shall have been transmitted as aforesaid; and if any marine officer shall take or knowingly suffer to be taken from any person any money or reward for excusing the quartering of officers or marines, or shall billet any of the wives, children, men or maid servants of any officer or marine in any house against the consent of the occupier, he shall for any of the said offences, upon being convicted thereof before a general court-martial, be cashiered; and if any officer shall constrain any carriage to travel beyond the distance specified in the justice's warrant, or shall not discharge the same in due time for their return home on the same day if it be practicable, except in the case of emergency for which the justice shall have given license, or shall compel the driver of any carriage to take up any marine or servant (except such as are sick) or any woman to ride therein, except in cases of emergency as aforesaid, or shall force any constable, by threatening words,

to provide saddle horses for himself or servants, or shall force horses from their owners, or in Ireland shall force the owner to take any loading until the same shall be first duly weighed, if the same shall be required, and can be done within a reasonable time, or shall, contrary to the will of the owner or his servant, permit any person whatsoever to put any greater load upon any carriage than is directed by this Act, he shall forfeit for every offence any sum not exceeding five pounds nor less than forty shillings.

Penalty for forcible entry in pursuit of deserters without warrant.

84. Every marine officer or marine who shall, without warrant from one or more of Her Majesty's justices, forcibly enter into or break open the dwelling-house or out-house of any person whomsoever in pursuit of any deserters, shall, upon due proof thereof, forfeit the sum of twenty pounds.

Penalty for purchasing clothes, &c. from any marine.

85. Any person who shall knowingly detain, buy, or exchange, or otherwise receive from any marine or marine deserter, or any other person acting for or on his behalf, upon any account or pretence whatsoever, or who shall solicit or entice any marine or marine deserter, or shall be employed by any marine or marine deserter, knowing him to be such, to sell any arms, ammunition, medals for good conduct, or distinguishment, or other service, marine clothes, or military furniture, or any other articles which, according to the custom of the marine corps, are generally deemed regimental or divisional necessaries, or any provisions, sheets, or other articles used in barracks or provided under barrack regulations, whether on shore or afloat, and whether the marine or marine deserter or other person be or be not borne on the books of any one of Her Majesty's ships, or be or be not embarked, or who shall have in his or her possession or keeping any arms, ammunition, medals, marine clothes, or military furniture, or any other articles which, according to the custom of the marine corps, are generally deemed regimental or divisional necessaries, or any provisions, spirits, sheets, or other articles used in barracks or provided under barrack regulations, and shall not give a satisfactory account how he or she came by the same, or shall change or cause the colour or mark of any such clothes, appointments, necessaries, sheets, or other articles to be changed or defaced, or who shall pawn, sell, or deposit in any place or with any person such articles of regimental necessaries, with or without the consent of such marine, shall forfeit for every such offence any sum not exceeding twenty pounds, together with treble the value of all or any of the several articles; and if any person having been at any time previously convicted of either of the above offences under this or any previous Act for the regulation of Her Majesty's Royal Marine forces while on shore shall afterwards be guilty of any such offence, he or she shall for every such offence forfeit any sum not exceeding twenty pounds but not less than five pounds,

and the treble value of all or any of the several articles, and shall, in addition to such forfeiture, be committed to the common gaol or house of correction, there to be imprisoned only, or to be imprisoned with or without hard labour, for such term not exceeding six calendar months as the convicting justice or justices shall think fit; and upon any information against any person for a second or any subsequent offence, a copy of the former conviction, certified by the proper officer having the care or custody of such conviction, or any copy of the same proved to be a true copy, shall be sufficient evidence to prove such former conviction; and if any credible person shall prove, on oath before a justice of the peace or person exercising like authority according to the laws of that part of Her Majesty's dominions in which the offence shall be committed, a reasonable cause to suspect that any person has in his or her possession or on his or her premises any property of the description herein-before described, on or with respect to which any such offence shall have been committed, such justice may and he is hereby required to grant a warrant to search for such property as in the case of stolen goods; and if upon such search any such property shall be found, the same shall and may be seized by the officer charged with the execution of such warrant, who shall bring the offender in whose possession the same shall be found before the same or any other justice of the peace, to be dealt with according to law.

Penalty on unlawful recruiting.

86. Every person (except such recruiting parties as may be stationed under military command) who shall cause to be advertised, posted, or dispersed bills for the purpose of procuring recruits or substitutes for the Royal Marines, or shall open or keep any house or place of rendezvous or office, or receive any person therein under such bill or advertisement as connected with the marine recruiting service, or shall directly or indirectly interfere therewith, without permission in writing from the Lord High Admiral or the said Commissioners for executing the office of Lord High Admiral, shall forfeit for every such offence a sum not exceeding twenty pounds.

Penalty on killing game without leave.

87. For the better preservation of the game and fish in or near places where any officer shall at any time be quartered, every officer who shall, without leave in writing from the person or persons entitled to grant such leave, take, kill, or destroy any game or fish within the United Kingdom, shall for every such offence forfeit the sum of five pounds.

Limitations of actions.

88. If any action shall be brought against any member or members of a court-martial to be assembled under the authority of this Act, or of any Act heretofore passed for the regulation of Her Majesty's Royal Marine forces while on shore, in respect of the proceedings or the sentence thereof, or against any other person, for anything done in pursuance or under the authority

of this Act, or of any Act heretofore passed for the regulation of Her Majesty's Royal Marine forces while on shore, the same shall be brought in some one of the Courts of Record at Westminster or Dublin, or in the Court of Session in Scotland, and shall be commenced within six months next after the cause of action shall arise, and it shall be lawful for the defendant or defendants therein, or in any such action now pending, to plead thereto the general issue, and to give all special matter in evidence on the trial; and if the verdict shall be for the defendant in any such action, or if the plaintiff shall become nonsuit or suffer any discontinuance thereof, or if, in Scotland, the court shall see fit to assoilzie the defendant or dismiss the complaint, the court in which the matter shall be tried shall allow the defendant treble costs, for the recovery of which he shall have the like remedy as in other cases where costs by the laws of this realm are given to defendants.

Recovery of penalties.

89. All offences for which any pecuniary penalty or forfeiture not exceeding twenty pounds, over and above any forfeiture of value or treble value, is by this Act imposed, shall and may be heard and determined by any justice of the peace in or near to the place where the offence shall be committed, or where the offender may at any time happen to be; and all such penalties and forfeitures, and forfeiture of value and treble value, and also the reasonable costs attending the prosecution, to be duly ascertained and awarded by such justice, shall and may be enforced and recovered in the same manner as any pecuniary penalties may be recovered under the provisions of an Act passed in the twelfth year of the reign of Her Majesty, intituled "An Act to facilitate the performance of the "duties of justices of the peace out of sessions within England "and Wales with respect to summary convictions and orders:" 11 & 12 Vict. c. 43.
Provided always, that in all cases in which there shall not be sufficient goods whereon any penalty or forfeiture or treble value can be levied, the offender may be committed and imprisoned, with or without hard labour, for any time not exceeding six calendar months; which said recited Act shall be used and applied in Scotland and in Ireland for the recovery of all such penalties and forfeitures or treble value as fully to all intents as if the said recited Act had extended to Scotland and Ireland, anything in the said recited Act, or in an Act passed in the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to consolidate "and amend the Acts regulating the proceedings at petty "sessions, and the duties of justices of the peace out of quarter "sessions, in Ireland," to the contrary notwithstanding; and 14 & 15 Vict. c. 93.
all such offences committed in the British Isles, or in any of Her Majesty's dominions other than the United Kingdom, may be determined, and the penalties and forfeitures of value or treble value recovered, before any justices of the peace or

persons exercising like authority, according to the laws of Her Majesty's dominions in which the offence shall be committed or the offender may at any time happen to be, and for default of payment the offender shall be punished as if the offence had been committed in the United Kingdom; and all penalties and forfeitures by this Act imposed exceeding twenty pounds shall be recovered by action in some of the Courts of Record at Westminster or in Dublin, or in the Court of Session in Scotland, and in no other court in the United Kingdom, and may be recovered in the British Isles or in any other part of Her Majesty's dominions, in any of the royal or superior courts of such isles or other parts of Her Majesty's dominions.

Appropriation of penalties.

90. One moiety of every such penalty or forfeiture, not including any treble value of any articles, shall go to the person who shall inform or sue for the same, and the other moiety, together with the treble value of such articles, or, where the offence shall be proved by the person who shall inform, then the whole of the penalty and such treble value, shall be paid over and applied in such manner as the Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral shall direct, anything in an Act passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act to provide for the regulation "of municipal corporations in England and Wales," or in any other Act or Acts of Parliament, to the contrary notwithstanding; and every justice who shall adjudge any penalty under this Act shall within four days thereafter at the furthest report the same, and his adjudication thereof, to the Secretary of the Admiralty.

5 & 6 W. 4. c. 76.

Licenses of canteens.

91. It shall be lawful for any two justices of the peace, within their respective jurisdictions, to grant or transfer any license for selling by retail any spirit, beer, wine, cider, or perry to any person or persons applying for the same who shall hold any canteen under any lease thereof, or by agreement with any department or other authority under the said Lord High Admiral, or the Commissioners for executing the office of Lord High Admiral for the time being, without regard to the time of year, or any notices or certificates required by any Act in respect of such licenses; and the Commissioners of Excise or their proper officers within their respective districts shall also grant or transfer any such license as aforesaid; and such persons holding such canteens, and having such licenses as aforesaid, may sell therein victuals, and all such exciseable liquors as they shall be licensed and empowered to sell, without being subject for so doing to any penalty or forfeiture whatever.

Mode of recording a

92. The statement made by a recruit on his attestation of his place of birth shall (until legally disproved) be taken to be

the place of his settlement, to which upon his discharge he may be sent by the Lord High Admiral or the Commissioners for executing the office of Lord High Admiral for the time being, but any justice in the United Kingdom, within whose jurisdiction any marine shall be quartered on shore, may summon such marine before him, which summons such marine is hereby required to obey, and take his examination in writing upon oath touching the place of his last legal settlement; and such justice shall give an attested copy of such examination to the person so examined, to be by him delivered to his commanding officer to be produced when required; which said examination and such attested copy thereof shall be at any time admitted as good and legal evidence as to such legal settlement before any justice or at any general or quarter sessions of the peace, although such marine be dead or absent from the kingdom: Provided always, that in case any marine shall be again summoned to make oath as aforesaid, then, on such examination or such attested copy being produced, such marine shall not be obliged to make any other or further oath with regard to his legal settlement, but shall leave with such justice a copy of such examination or a copy of such attested copy of examination, if required. Marine's settlement.

93. All oaths and declarations which are authorised or required by this Act may be administered (unless where otherwise provided) by any justice of the peace or other person having authority to administer oaths and declarations; and any person giving false evidence, or taking a false oath or declaration where an oath or declaration is authorised or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt perjury, and shall be liable to such pains and penalties as persons convicted of wilful and corrupt perjury, are or may be subject and liable to; and every commissioned officer convicted before a general court-martial of perjury shall be cashiered, and every marine or other person amenable to the provisions of this Act found guilty thereof by a general or other court-martial shall be punished at the discretion of such court. Administration of oaths. Perjury.

94. All clauses and provisions in this Act contained relating to England shall be construed to extend to Wales and to the town of Berwick-upon-Tweed; and the provisions of this Act shall apply to all persons who are or shall be commissioned or in pay as an officer of Royal Marines, or who are or shall be listed or in pay as a non-commissioned officer or marine; and all clauses and provisions relating to marines shall be construed to include non-commissioned officers and drummers, unless when otherwise provided; and all clauses and provisions relating to justices shall be construed to extend to all magistrates authorised to act as such in their respective jurisdictions; and all the powers given to and regulations made Definition of terms.

for the conduct of constables, and all penalties and forfeitures for any neglect thereof, shall extend to all tithingmen, headboroughs, and such-like officers, and to all inspectors or other officers of police, and to high constables and other chief officers and magistrates of cities, towns, villages, and places in England and Ireland, and to all justices of the peace, magistrates of burghs, commissioners of police, and other chief officers and magistrates of cities, towns, villages, parishes, and places in Scotland, who shall act in the execution of this Act; and all powers and provisions for billeting marines in victualling houses shall extend and apply to all inns, hotels, livery stables, alehouses, and to the houses of sellers of wine by retail, whether British or foreign, to be drunk in their own houses or places thereunto belonging, to all houses of persons licensed to sell beer, ale, porter, cider, or perry by retail, to be consumed or drunk in their dwelling-houses or premises, and to all houses of persons selling brandy, spirits, strong waters, cider, or metheglin by retail in Great Britain and Ireland; and in Ireland, when there shall not be found sufficient room in such houses, then marines may be billeted in such manner as has been heretofore customary: Provided always, that no officer or marine shall be billeted in Great Britain in any private houses, or in any canteen held or occupied under the authority of the Admiralty, War, or Marine Department, or upon persons who keep taverns only, being vintners of the city of London admitted to their freedom of that company in right of patrimony or apprenticeship, notwithstanding such persons who keep such taverns only have taken out victualling licenses; nor in the house of any distiller kept for distilling brandy and strong waters; nor in the house of any shopkeeper whose principal dealings shall be more in other goods and merchandise than in brandy and strong waters, so as such distillers and shopkeepers do not permit tippling in such houses; nor in the house or residence in any part of the United Kingdom of any foreign consul duly accredited as such.

Marines not to be billeted in private houses, &c.

Duration of Act.

95. This Act shall be in force within Great Britain from the twenty-fifth day of April one thousand eight hundred and seventy-two until the twenty-fifth day of April one thousand eight hundred and seventy-three inclusive; and within Ireland, and in Jersey, Guernsey, Alderney, Sark, and the Isle of Man, and the Islands thereto belonging, from the first day of May one thousand eight hundred and seventy-two until the first day of May one thousand eight hundred and seventy-three inclusive; and within the garrison of Gibraltar, and within the Mediterranean, and in Spain and Portugal, from the first day of August one thousand eight hundred and seventy-two until the first day of August one thousand eight hundred and seventy-three inclusive; and in all other parts of Europe where Royal Marine forces may be serving, and the

West Indies and North America, and Cape of Good Hope, from the first day of September one thousand eight hundred and seventy-two until the first day of September one thousand eight hundred and seventy-three inclusive; and in all other places from the first day of February one thousand eight hundred and seventy-three until the first day of February one thousand eight hundred and seventy-four inclusive: Provided always, that this Act shall, from and after the receipt and promulgation thereof in general orders in any part of Her Majesty's dominions or elsewhere beyond the seas, become and be in full force, anything herein contained to the contrary notwithstanding.

SCHEDULE referred to by this Act.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the evidence in the matter now before you. So help you GOD.

YOU shall duly administer justice, according to the rules and articles for the better government of Her Majesty's Royal Marine forces, and according to an Act now in force for the regulation of the said forces while on shore, without partiality, favour, or affection, and if any doubt shall arise which is not explained by the said articles or Act, according to your conscience, the best of your understanding, and the custom of war in the like cases: And you shall not divulge the sentence of the court until it shall be duly approved; neither shall you, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice or a court-martial in a due course of law.

So help you GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear That I will not, upon any account whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice or a court-martial in a due

course of law; and that I will not, unless it be necessary for the due discharge of my official duties, disclose the sentence of the court until it shall be duly approved. So help me GOD.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 18 .

A.R.

TAKE notice, that you enlisted with at o'clock* on the day of for the Royal Marines, and if you do not come forward to [*here name some place*] on or before o'clock* on the day of for the purpose of being taken before a justice, either to be attested or to release yourself from your engagement by repaying the enlisting shilling and any pay you may have received as a recruit, and by paying twenty shillings as smart money, you will be liable to be punished as a rogue and vagabond.

You are hereby also warned that you will be liable to the same punishment if you make any wilfully false representations at the time of attestation.

Signature of the non-commissioned officer serving the notice. } _____

* At A.M. or P.M., as the case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the parish of in the county of , do solemnly and sincerely declare, that to the best of my knowledge and belief I was born in the parish of (*a*) in or near the town of (*b*) in the county of (*c*) , and am . years of age; that I am of the trade or calling of [*or* of no trade or calling, *as the case may be*]; that I am not an apprentice; that I am married (that I am not a widower; that I am a widower, and that I have (*or* have not) children) [*or* not married, *as the case may be*]; that I do not belong to the militia, or to the naval coast volunteers, or royal naval volunteers, or to any portion of Her Majesty's land or sea forces; that I have never served Her Majesty by land or sea in any military, marine, or naval employment whatsoever, except ; that I have never been marked with the letter D; that I have never been rejected as unfit for Her Majesty's service on any previous enlistment; that I was enlisted at on the day of 18 , at o'clock m. by of , and that I have read [*or* had read to me] the notice then given to me and understood its meaning; that I enlisted for a bounty of and a free kit [*as the case may be*], and have no objection to make to the manner of my enlistment; that I

am willing to be attested to serve in the Royal Marines for the term of [*the blank after the words* "term of" *to be filled up with twelve years, if the person enlisted is of the age of eighteen years or upwards; but if under that age, then the difference between his age and eighteen is to be added to such twelve years*], provided Her Majesty should so long require my services, and also for such further term, not exceeding two years, as shall be directed by the commanding officer on any foreign station.

_____ *Signature of recruit.*

_____ *Signature of witness.*

Note (*a*), (*b*), (*c*).—These blanks need not be filled up if the recruit is unable to give the requisite information.

OATH to be taken by a RECRUIT on ATTESTATION.

I DO make oath, That I will be faithful and bear true allegiance to Her Majesty, her heirs and successors; and that I will, as in duty bound, honestly and faithfully defend Her Majesty, her heirs and successors, in person, crown, and dignity against all enemies, and will observe and obey all orders of Her Majesty, her heirs and successors, and of the generals and officers set over me. So help me GOD.

Witness my hand, _____ *Signature of the recruit.*

_____ *Witness present.*

Declared and sworn before me at this day of one thousand eight hundred and at o'clock.

_____ *Signature of the justice.*

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the case may be*,] in the division of the Royal Marine forces; that I enlisted on the day of for a term of years; that I am of the age of years; and that I will serve Her Majesty, her heirs and successors, as a marine, for a further term of years [*to be filled up with*

such number of years as shall be required to complete a total service of twenty-one years], provided my services should so long be required, and also for such further term, not exceeding two years, as shall be directed by the commanding officer on any foreign station.

_____ *Signature of marine.*

_____ *Signature of witness.*

Declared before me this day of 18 .

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make oath, that I am by trade a , and that was bound to serve as an apprentice to me in the said trade, by indenture dated the day of for the term of years; and that the said did on or about the day of last abscond and quit my service without my consent, and that to the best of my knowledge and belief the said is aged about years. Witness my hand at the day of one thousand eight hundred and .

Sworn before me at this day of one thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I one of Her Majesty's justices of the peace of certify, that of came before me at the day of one thousand eight hundred and , and made oath that he was by trade a , and that was bound to serve as an apprentice to him in the said trade, by indenture dated the day of , for the term of years; and that the said apprentice did on or about the day of abscond and quit the service of the said without his consent, and that to the best of his knowledge and belief the said apprentice is aged about years.

DESCRIPTION RETURN of who was apprehended [*or* surrendered himself, *as the case may be*] on the day of and was committed to confinement at on the day of as deserter from the Royal Marines.

Age - - - - -	
Height - - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - - -	
Probable date of enlistment, and where	
Probable date of desertion, and from what place - - - -	
Name and occupation and address of the person by whom or through whose means the deserter was apprehended and secured - -	
* Particulars of the evidence on which the prisoner is committed, and showing whether he surrendered or was apprehended, and in what manner, and upon what grounds -	

* It is important for the public service, and for the interest of the deserter, that this part of the return should be accurately filled up, and the details should be inserted by the magistrate in his own handwriting, or, under his direction, by his clerk.

I do hereby certify, that the prisoner has been duly examined before me as to the circumstance herein stated, and has declared in my presence that he † a deserter from the above-mentioned corps.

——— *Signature and address of magistrate.*
——— *Signature of prisoner.*
——— *Signature of informant.*

† Insert "is" or "is not," as the case may be.

I certify, that I have inspected the prisoner, and consider him ‡ for military service.

——— *Signature of military medical officer, or of private medical practitioner.*

‡ Insert "fit" or "unfit," as the case may be; and, if unfit, state the cause of unfitness.

CHAPTER 5.

An Act to amend the Charter under which the Governor and Company of the Bank of Ireland is incorporated. [23d April 1872.]

WHEREAS by charter or letters patent under the Great Seal of Ireland, bearing date the tenth day of May one thousand seven hundred and eighty-three, in the twenty-third year of the reign of His late Majesty King George the Third, and granted in pursuance of an Act passed in the twenty-first and twenty-second year of the reign of his said Majesty, the Governor and Company of the Bank of Ireland were duly incorporated:

And whereas for the better ordering, managing, and governing the stock and affairs of the said Corporation, and for the making and establishing a continual succession of persons to be governor, deputy governor, and directors of the said Corporation, it was thereby ordained and appointed that there should be, from time to time, for ever, of the members of the said company, a governor, a deputy governor, and fifteen directors of and in the said Corporation; which governor, deputy governor, and directors, or any eight or more of them, of whom the governor or deputy governor, unless as therein-after was excepted, should be always one, should be and be called a court of directors for the ordering, managing, and directing the affairs of the said Corporation, and should have such powers and privileges as were therein-after mentioned:

And whereas it was thereby provided and directed that at no annual election there should be chosen for directors for the ensuing year above two thirds of those who were directors for the year next preceding:

And whereas it was thereby further provided and directed that all succeeding governors, deputy governors, and directors of the said Corporation should, from and after the twenty-fifth day of March in the year of our Lord one thousand seven hundred and eighty-four, be yearly and successively chosen for ever out of the members of the said Corporation, on some day or days or times between the twenty-fifth day of March and twenty-fifth day of April in every year, by the majority of votes of all and every of the members of the said Corporation having the qualification therein mentioned, and who should be personally present at such elections; which succeeding governors, deputy governors, and directors so chosen should severally and respectively continue in their respective offices for one year, and until others should be duly chosen and sworn into their places respectively as therein directed:

And whereas it is expedient that the members of the said Corporation, duly qualified as in the said charter mentioned,

and present at a general court of the said Corporation duly convened in manner provided by the said charter, should have power to reduce the number of the directors of the said Corporation from fifteen to thirteen or to eleven, as they may deem expedient, exclusive of the governor and deputy governor:

And whereas it is also expedient that at every annual election all or any of those who were directors for the year next preceding should be eligible to be re-elected:

And whereas, in consequence of reducing the number of directors, it will be necessary to alter the provisions contained in the said charter in respect of the number necessary to form a quorum of a court of directors, and to enable the members of the said Corporation to make their byelaws to conform with the provisions contained in this Act:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Bank of Ireland Charter Amendment Act, 1872."

Number of directors of Bank of Ireland may be reduced from fifteen to thirteen or to eleven.

2. The members of the Corporation of the Governor and Company of the Bank of Ireland, duly qualified as in the said charter mentioned, and duly convened and present at a meeting of a general court of the said Corporation as in the said charter directed, may by a resolution reduce the number of the directors of the said Corporation from fifteen to thirteen or to eleven, as they may deem expedient, exclusive of the governor and deputy governor.

Retiring directors eligible for re-election.

3. The members of the said Corporation may at every annual election of directors re-elect for the ensuing year all or any of those who were directors for the year next preceding: Provided always, that the members of the Corporation may at any time hereafter, at a meeting of a general court, and by a resolution as aforesaid, determine that thenceforth some number not exceeding one third of the retiring directors shall not be chosen at the next following election, and at the same time and in like manner provide the mode in which the directors who are not to be re-eligible shall be determined.

Quorum of meeting of directors.

4. Whenever the number of directors shall by such resolution as aforesaid be reduced to thirteen, the governor, deputy governor, and directors, or any seven or more of them (of whom the governor or deputy governor, unless as in the said charter excepted or in this Act otherwise provided, to be always one), shall and may constitute a court of directors, and

shall and may act according to such byelaws, constitutions, orders, rules, or directions as shall from time to time be made and given in to them by the general court of the said Corporation; and in all cases where such byelaws, constitutions, orders, rules, or directions by or from the general court shall be wanting, the said governor or deputy governor and directors, or the major part of them, so assembled, whereof the governor or deputy governor is to be always one, save as herein-after is mentioned, shall and may direct and manage all the affairs and business of the Corporation, as in the said charter in that behalf particularly mentioned, and subject to the provisoes in the said charter contained; and whenever the number of directors shall by such resolution as aforesaid be reduced to eleven, the governor, deputy governor, and directors, or any six or more of them (of whom the governor or deputy governor, unless as in the said charter excepted or in this Act otherwise provided, to be always one), shall constitute a court of directors, and shall and may act according to such byelaws, constitutions, orders, rules, or directions as shall from time to time be made and given in to them by the general court of the said Corporation; and in all cases where such byelaws, constitutions, orders, rules, or directions by or from the general court shall be wanting, the said governor or deputy governor and directors, or the major part of them, so assembled, whereof the governor or deputy governor is to be always one, save as herein-after is mentioned, shall and may direct and manage all the affairs and business of the Corporation, as in the said charter in that behalf particularly mentioned, and subject to the provisoes in the said charter contained: Provided that if the governor and deputy governor be absent from any meeting of a court of directors for one hour after the usual time of proceeding to business, the court of directors may choose a chairman for that time only, and proceed to business and transact the affairs of the said Corporation, and the transactions of the court of directors shall be as valid and effectual to all intents and purposes as if the governor or deputy governor had been present: Provided also, that in every such court of directors there be eight directors present when the number of directors is thirteen, and that there be seven directors present when the number of directors is eleven.

Byelaws of Corporation may be made to conform with provisions of this Act.

5. The members of the said Corporation, duly qualified as in the said charter mentioned, and present at a duly convened general court of the said Corporation, may alter and amend their byelaws so as to make the same conformable with the provisions contained in this Act.

Charter not to be affected except as specially varied or altered by this Act.

6. Provided always, that nothing in this Act contained shall in any respect affect, vary, or alter the said charter, or the powers and provisions therein given and contained, save as the same are or may be varied or modified by the provisions

in this Act contained; and the directors who may be re-elected under and by virtue of the provisions contained in this Act shall be subject in all respects to the provisions and enactments and clauses mentioned and expressed in the said charter.

Expenses of Act.

7. All costs, charges, and expenses of and incident to the preparing, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Governor and Company of the Bank of Ireland.

CHAPTER 6.

An Act to amend The Public Parks (Ireland) Act, 1869. [13th May 1872.]

WHEREAS by The Public Parks (Ireland) Act, 1869, power is given to the governing bodies of certain towns, subject to the provisions of the said Act, to establish and maintain public parks for the use and enjoyment of the persons inhabiting such towns:

And whereas doubts have arisen as to whether the parks which by the said Act the said governing bodies of such towns are authorised to establish and maintain must be situate within the boundaries of such towns respectively, and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as The Public Parks (Ireland) Act, 1869, Amendment Act, 1872.

Amendment of 32 & 33 Vict. c. 28.

Parks may be within or without towns.

2. All powers and authorities conferred by The Public Parks (Ireland) Act, 1869, for the establishment, maintenance, and regulation of any public park or parks in any town or towns shall authorise the establishment, maintenance, and regulation of such park or parks, whether the same be situate within or without or partly within or partly without the boundaries of such town or towns.

Power to sell superfluous land.

3. Where the governing body of any town acting under the authority of the Public Parks (Ireland) Act, 1869, have acquired any estate or interest in any land for the purpose of establishing a public park or public parks, they may at any time within five years after the completion of such park or parks sell and dispose of their estate and interest in any portion of such land which was not required for such public park or public parks. The same shall be sold by public auction for the best price that can be obtained for the same.

Notice of every such intended sale of lands shall be given by the governing body of any town by advertisement in each of three consecutive weeks in some newspaper circulated within such town.

Where any such lands are subject to any fee-farm or other rent the governing body selling and disposing of their estate and interest in any portion of such lands under the authority of this Act may sell and dispose of such portions freed and discharged from, and indemnified against, all liability on account of such fee-farm or other rent, or any part of same, but subject to the payment to such governing body of such annual sum as they may think fit, being not less than the amount which would be payable in respect of such portion in case the rent payable in respect of all the lands subject to such fee-farm or other rent were apportioned between such portion and the residue of such lands: Provided always, that nothing herein contained shall in any manner be construed or taken to free the said portion of land so sold from liability to the owner of the said fee-farm or other rent in respect of the same or any part thereof.

The consideration for every such sale, and all annual sums payable in respect of any lands sold as aforesaid, shall be paid to such governing body, and shall be applied by them, in the first instance, in payment of all moneys (if any) borrowed under the authority of the said Act which shall then remain unpaid, and then to all or any of the purposes to which the rate or fund out of which the expenses incurred in acquiring the lands sold have been defrayed is applicable.

Proviso. Provided always, that the governing body of any town shall not, under the authority of this Act, sell any greater portion of the lands purchased by them for the purpose of establishing a public park than one fourth part of such lands.

CHAPTER 7.

An Act to amend the Law respecting the borrowing of Money by County Authorities for County Buildings. [13th May 1872.]

WHEREAS by the Act of the session of the seventh year of the reign of King George the Fourth, chapter
7 G. 4. c. 63. sixty-three, intituled "An Act to provide for repairing, im-
" proving, and rebuilding shire halls, county halls, and other
" buildings for holding the assizes and grand sessions, and
" also judges lodgings, throughout England and Wales," (in this Act referred to as the County Buildings Act, 1826,) it is provided that the justices of a county, riding, or division as therein mentioned may borrow sums of money for the pur-

poses therein mentioned, upon the credit of the rate of such county, riding, or division, but all sums so borrowed are required to be repaid within fourteen years from the time of borrowing the same:

And whereas the provisions of the County Buildings Act, 1826, with respect to borrowing, have been by divers Acts extended to the borrowing of money for the purposes of those Acts: 7 Will. 4. & 1 Vict. c. 24. 2 & 3 Vict. c. 69. 10 & 11 Vict. c. 28.

And whereas it is expedient to authorise the repayment of any money borrowed for the purposes of the said Acts within thirty years instead of within fourteen years:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Any sum borrowed after the passing of this Act under the provisions of the County Buildings Act, 1826, may be repaid within thirty years instead of within fourteen years from the time of borrowing the same, and the provisions of the County Buildings Act, 1826, and of any enactments which relate to the borrowing of money and repayment of money borrowed under the provisions of that Act, shall be construed as if "thirty years" were therein substituted for "fourteen years." Extension of time for repayment of loan.

2. This Act shall be construed as one with the County Buildings Act, 1826. Construction of Act.

3. This Act may be cited as the County Buildings (Loans) Act, 1872. Short title.

CHAPTER 8.

An Act to provide for the Resignation of Deans and Canons. [13th May 1872.]

WHEREAS it is expedient to provide for the relief of deans and canons who by reason of age or any mental or bodily infirmity may be permanently incapacitated from the due performance of their duties:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited for all purposes as "The Deans and Canons Resignation Act, 1872." Short title.

Definitions:

"Dean:" **2.** In this Act—

"Dean" means a dean of a cathedral or collegiate church in England or Wales:

"Canon:" "Canon" means a canon or minor canon of a cathedral or collegiate church in England or Wales, but does not include an honorary canon:

"Bishop." "Bishop," in the case of the diocese of Canterbury, means the Archbishop of Canterbury, and in the case of the diocese of York means the Archbishop of York.

Resignation.

Provision for resignation of incapacitated deans and canons on application to bishop.

3. On a representation being made to the bishop of the diocese by any dean or canon that he is desirous of resigning his deanery or canonry by reason that he is incapacitated by age or some mental or permanent physical infirmity from the due performance of his duties, such bishop shall, if satisfied of the incapacity of the dean or canon by whom the representation is made, certify such incapacity, in writing under his hand, to Her Majesty, the archbishop, bishop, body corporate, or person in whom the patronage of the deanery or canonry held by such dean or canon is vested, and from and after the date of such certificate such deanery or canonry shall be vacant, and such vacancy may be filled up in the same manner and with the same incidents in all respects as if such dean or canon were dead, with the exception following; that is to say,

There shall be paid, by the year, to the retiring dean or canon, by the treasurer or other proper officer of the chapter to which the dean or canon belongs, out of the income of the deanery or canonry, and as a first charge thereon in the hands of the successor, one third part of the income, calculated on an average of the three preceding years, received by the retiring dean or canon before his retirement on account of his deanery or canonry, such yearly sum to accrue due from day to day, but to be payable half-yearly: Provided that if the retiring dean or canon holds no other ecclesiastical preferment, such one third shall, in the case of a dean in England, if less than four hundred pounds a year, be made up to four hundred pounds a year; and in the case of a dean in Wales, if less than three hundred pounds a year, be made up to three hundred pounds a year; and in the case of a canon not being a minor canon in England, if less than two hundred and fifty pounds a year, be made up to two hundred and fifty pounds a year; and in the case of a canon not being a minor canon in Wales, if less than one hundred and seventy-five pounds a year, be made up to one hundred and seventy-five pounds a year.

Power to bishop to direct

4. When a representation has been made to a bishop by a dean or canon of his desire to resign, the bishop may, if he in

his discretion thinks it expedient so to do for the purpose of satisfying himself of the incapacity of such dean or canon, direct an inquiry to be held into the existence of such incapacity by any number of persons not exceeding three, being beneficed clergymen, or holding a rank in the church higher than that of beneficed clergymen, and he may give or withhold his certificate according to the result of such inquiry. inquiry into incapacity of dean or canon.

The person or persons directed by the bishop to make an inquiry into the incapacity of a dean or canon shall give notice to such dean or canon of a time and place at which the inquiry will be made, and any person authorised by or on behalf of such dean or canon may attend the inquiry, and produce evidence and cross-examine the witnesses, and generally conduct the case on behalf of the dean or canon. The person or persons conducting the inquiry, or any of them, may administer an oath and may examine witnesses on oath or not, in writing or orally, as he or they think expedient; and any person when examined as aforesaid who wilfully makes a false statement, whether on oath or not, shall be guilty of a misdemeanor. Any person refusing to give evidence when required, after a tender of his reasonable expenses, may be certified by any person or persons conducting such inquiry to have so refused to any judge of one of Her Majesty's superior courts of law or equity, and such judge may deal with such person in the same way as if he had refused to give evidence in a proceeding instituted in the court of which he is judge.

5. If any dean or canon has been found by due process of law to be a lunatic or of unsound mind, the bishop of the diocese may if he think fit grant a certificate of the incapacity of such dean or canon without any representation being made by him of such incapacity, and such certificate shall for the purposes of this Act have the same effect as if it had been granted in pursuance of a representation of incapacity made by the dean or canon: Provided that no such certificate shall be granted where the deanery or canonry held by the person so found to be a lunatic or of unsound mind is annexed to the headship of a college or professorship of any University so long as provision shall be made to the satisfaction of the bishop for performing the duties of the said deanery or canonry. Special provision as to dean or canon found by process of law to be of unsound mind.

6. The reasonable expenses of any inquiry under this Act into the incapacity of a dean or canon shall be certified under the hands of any person or persons authorised to conduct the inquiry, and when so certified and approved by the bishop shall be defrayed out of the income of the retiring dean or canon. As to expenses of an inquiry if directed by bishop.

7. Where any professorship, archdeaconry, headship, or other preferment, ecclesiastical or civil, is annexed to any deanery or canonry, or any deanery or canonry is annexed to any professorship, archdeaconry, headship, or other preferment, eccle- Vacancy in deanery or canonry to create a vacancy in

any annexed preferment.

siastical or civil, the dean or canon retiring from his deanery or canonry in pursuance of this Act shall be deemed to have vacated also such professorship, archdeaconry, headship, or other preferment, and shall be entitled to be paid out of the income of such preferment, and as a first charge thereon in the hands of the successor, by the treasurer or other officer whose duty it is to pay such income, one third part of the income, calculated on an average of the three preceding years, received therefrom by the retiring dean or canon before his retirement on account of such preferment, such yearly sum to accrue due from day to day, but to be payable half-yearly: Provided, that where any such dean or canon would (if this Act had not passed, and he had vacated or become incapable of performing the duties of any such professorship, archdeaconry, headship, or other preferment,) have been entitled to any other payment in respect of such preferment than that to which he is entitled under this section, such payment shall be substituted for the one third awarded to him hereby.

Archbishop to act as bishop in case of certain collegiate churches.

8. All powers and duties by this Act vested in or imposed on the bishop of the diocese shall in the case of the dean and canons of the Queen's Free Chapel of Saint George within her Castle of Windsor, the dean and canons of Christchurch, Oxford, and the dean and canons of the collegiate church of Saint Peter, Westminster, vest in and be imposed on the Archbishop of Canterbury, acting on behalf of Her Majesty.

CHAPTER 9.

An Act to continue the Appointment and Jurisdiction of the Commissioners for the Sale of Incumbered Estates in the West Indies. [13th May 1872.]

WHEREAS by the Act of the seventeenth and eighteenth years of Her Majesty's reign, chapter one hundred and seventeen, intituled "An Act to facilitate the sale and transfer "of Incumbered Estates in the West Indies," and the Act of the twenty-first and twenty-second years of Her Majesty's reign, chapter ninety-six, being an Act to amend the said first-mentioned Act, the appointment and jurisdiction of the Commissioners for Sale of Incumbered Estates in the West Indies were made for limited periods which have expired:

And whereas their appointment and jurisdiction were continued by the Expiring Laws Continuance Act, 1870, until the thirty-first day of March one thousand eight hundred and seventy-two:

And whereas it is expedient that their appointment and jurisdiction should be continued until Parliament shall otherwise determine:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Office of Commissioners continued.

1. The offices of the Commissioners for Sale of Incumbered Estates in the West Indies, and all powers, jurisdiction, rights, and privileges pertaining thereto, shall continue and be in force until Parliament shall otherwise determine.

Restriction as to moneys provided by Parliament.

2. No moneys provided by Parliament shall be applicable to the payment of any salaries of the said Commissioners or of any officers connected with the said commission.

Proviso as to lapse of powers of Commissioners.

3. The appointment, jurisdiction, and powers of the said Commissioners shall be taken and deemed to have been for all intents and purposes in full force and effect from the thirty-first day of March one thousand eight hundred and seventy-two up to the time of the passing of this Act, as if such appointment and jurisdiction had been continued by the Expiring Laws Continuance Act, 1870, until the time of the passing of this Act.

CHAPTER 10.

An Act to extend the provisions of the Acts relating to Marriages in England and Ireland, so far as they relate to Marriages according to the usages of the Society of Friends. [13th May 1872.]

23 & 24 Vict. c. 18.

WHEREAS by an Act passed in the session holden in the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter eighteen, after reciting certain provisions relating to marriages according to the usages of the Society of Friends called Quakers, contained in the Acts of the sixth and seventh years of the reign of King William the Fourth, chapter eighty-five, intituled "An Act for Marriages in England," and certain other provisions relating to such marriages, contained in the Act of the seventh and eighth years of the reign of Her present Majesty, chapter eighty-one, intituled "An Act for Marriages in Ireland, and for registering such Marriages," it was enacted (amongst other things), "that "from and after the thirtieth day of June one thousand eight "hundred and sixty, marriages might be contracted and "solemnised according to the usages of the said Society of "Friends commonly called Quakers, in England and Ireland "respectively, not only in the case provided for by the said "recited provisions, but also in cases where one only or where "neither of the parties to the marriage should be a member

6 & 7 W. 4. c. 85.

7 & 8 Vict. c. 81.

" of the said Society ;" but in the said Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter eighteen, there is contained the following proviso, namely, "Provided always, that the party or parties who " shall not be a member or members of the said Society shall " profess with or be of the persuasion of the said Society :"

And whereas, in order that the relief intended to be given by the said last-mentioned Act may be made fully effective, it is expedient that the said recited proviso shall be repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 23 & 24 Vict. c. 18.

1. From and after the first day of January one thousand eight hundred and seventy-three, the said recited Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter eighteen, shall be construed and shall take effect as if the words next herein-after specified were omitted therefrom, namely, " Provided always, that the " party or parties who shall not be a member or members of " the said Society shall profess with or be of the persuasion of " the said Society :" Provided that no marriage shall be valid under this Act unless when notice of the intention to solemnise such marriage is given to the Superintendent Registrar in England or (as the case may be) to the Registrar of Marriages in Ireland, as required by law, a certificate shall be produced to such Superintendent Registrar or Registrar of Marriages purporting to be signed by some registering officer of the said Society of Friends in England or in Ireland respectively to the effect that the party by whom or on whose behalf such notice is given, or each such party (as the case may be), is authorised thereto under or in pursuance of some general rule or rules of the said Society in England or Ireland respectively, and such certificate shall be for all purposes conclusive evidence that the party by whom or on whose behalf such notice is given, or each such party (as the case may be), is duly authorised to proceed to the accomplishment of such marriage according to the usages of the said Society, and the register of such marriage, or a copy thereof duly certified according to law, shall be conclusive evidence of the due production of such certificate as aforesaid ; but no such certificate shall be required in cases where the party giving such notice shall declare, either verbally or in writing if thereunto required, that both the parties to the intended marriage are either members of the said Society or in profession with or of the persuasion thereof.

CHAPTER 11.

An Act to apply the sum of Six million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-three. [13th May 1872.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

Issue of 6,000,000*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-three, the sum of six million pounds.

Power to Treasury to borrow.

2. The Commissioners of the Treasury may borrow from time to time on the credit of the said sum of six million pounds any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

CHAPTER 12.

An Act to amend an Act of the fourth and fifth years of King William the Fourth, chapter twenty-four, intituled "An Act to alter, amend, and consolidate "the laws for regulating the pensions, compen- "sations, and allowances to be made to persons in "respect of their having held civil offices in His "Majesty's service." [13th May 1872.]

WHEREAS by an Act passed in the session holden in the fourth and fifth years of King William the Fourth, chapter twenty-four, "to alter, amend, and consolidate the "laws for regulating the pensions, compensations, and allow- "ances to be made to persons in respect of their having held "civil offices in His Majesty's service," it is provided amongst other things that "in case any person enjoying any super- "annuation allowance in consequence of retiring from office "on account of age, infirmity, or any other cause, or enjoying "any compensation for past services, upon the abolition or "reduction of office, shall be appointed to fill any office in any "public department, every such allowance or compensation "shall cease to be paid for any period subsequent to such "appointment if the annual amount of the profits of the "office to which he shall be appointed shall be equal to those "of the office formerly held by him, and in case they shall "not be equal to those of his former office, then no more of "such superannuation allowance or compensation shall be paid "to him than what with the salary of his new appointment "shall be equal to that of his former office:"

And whereas doubts have lately been entertained as to whether the expression "office in any public department," as used in the above-mentioned provisions, extends to public departments in any part of Her Majesty's dominions beyond the limits of the United Kingdom:

And whereas it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Explanation of section 20. of 4 & 5 W. 4. c. 24.

1. It is hereby declared that the expression "office in any "public department," as used in the above-mentioned provisions of the said Act, extends, and shall from the date of the passing of the said Act be deemed to have extended, to any office in any public department in the British possessions.

Definition of colony.

2. In this Act "British possession" shall include any territories for the time being vested in Her Majesty by virtue of

any Act of Parliament for the government of India; also any colony, plantation, island, territory, or settlement within Her Majesty's dominions, and not within the United Kingdom.

3. This Act may be cited for all purposes as "The Superannuation Act, 1872." Short title.

CHAPTER 13.

An Act to amend The Irish Church Act, 1869, so far as respects a Vacancy in the office of Commissioner of Church Temporalities in Ireland.

[27th June 1872.]

WHEREAS by The Irish Church Act, 1869, in this Act referred to as the Principal Act, it is amongst other things enacted that the following persons, that is to say, Viscount Monck, Right Honourable James Anthony Lawson, one of the justices of the Court of Common Pleas in Ireland, and George Alexander Hamilton, Esquire, shall be constituted Commissioners under the said Act, and shall be a body corporate and be styled the Commissioners of Church Temporalities in Ireland, and it is by the said Act further provided that any power or act by such Act vested in or authorised to be done by the said Commissioners may be exercised or done by any one of them, with the qualification that any person aggrieved by any order of one Commissioner may require his case to be heard by the three Commissioners: 32 & 33 Vict. c. 42.

And whereas George Alexander Hamilton, Esquire, one of the Commissioners appointed by the said Act, died on the seventeenth day of September one thousand eight hundred and seventy-one:

And whereas it is expedient that the vacancy so created in the office of Commissioner of Church Temporalities in Ireland should not be filled up, and that provisions such as are in this Act contained should be made for the execution of the said Act by two Commissioners:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. No person shall be appointed to fill the vacancy occasioned by the death of the said George Alexander Hamilton, and subject as herein-after mentioned as to a re-hearing, and without prejudice to any matter or thing which has been done previously to the passing of this Act, the principal Act shall be construed as if two persons only, that is to say, the said Viscount Monck and the said James Anthony Lawson, had Vacancy in office of Third Commissioner not to be filled up.

been constituted Commissioners of Church Temporalities in Ireland.

Appeals to be heard by two Commissioners and a judge.

2. So much of section four of The Irish Church Act, 1869, as enacts that any person aggrieved by any order of one Commissioner may require his case to be heard by the three Commissioners is hereby repealed, and in lieu thereof be it enacted that any person aggrieved by any order of one Commissioner may require his case to be heard by a tribunal consisting of both the Commissioners for the time being of Church Temporalities in Ireland and any member of Her Majesty's most Honourable Privy Council in Ireland holding or having held any judicial office, who may from time to time be appointed by either general or special order under the hand of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being; and the tribunal constituted in pursuance of this section shall have the same powers as the three Commissioners would have had under the principal Act.

Short title.

3. This Act may be cited for all purposes as the Irish Church Amendment Act, 1872; and the principal Act, as amended by this Act, and this Act shall be construed as one Act.

Construction of Act.

CHAPTER 14.

An Act for the Alteration of Boundaries of Dioceses.

[27th June 1872.]

WHEREAS by an instrument bearing date the seventeenth day of December one thousand eight hundred and sixty-eight the Reverend Samuel Tenison Mosse did surrender the patronage of the church of Appleton Wiske in the county and diocese of York to the Archbishop of York and his successors:

And whereas the said Reverend Samuel Tenison Mosse as patron and incumbent of Great Smeaton in the county of York and diocese of Ripon did, by an instrument dated the eleventh day of November one thousand eight hundred and sixty-eight, undertake, upon the assignment of a separate district to the church of Appleton Wiske, to surrender a sum of fifty pounds per annum out of the rectorial rentcharge of the said parish of Great Smeaton for the endowment of the district of Appleton Wiske:

And whereas Her Majesty in Council did on the fifteenth day of February one thousand eight hundred and sixty-nine approve and ratify a representation of the Ecclesiastical Commissioners for England for the assignment of a district chapelry for the consecrated chapel of Appleton Wiske:

And whereas the Appleton Wiske endowment of fifty pounds per annum promised by the said instrument has not

been and cannot be made over to the said district chapelry of Appleton Wiske:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Transfer, &c. of Appleton Wiske annulled.

1. That the said transfer of patronage and the said undertaking of endowment and the said Order in Council be and are hereby annulled.

District to be included in diocese of Ripon.

2. The district included in the said district chapelry, being part of the parish of Great Smeaton in the diocese of Ripon shall, after the passing of this Act, be included in the diocese of Ripon.

New cures to form part of one diocese only.

3. It shall be lawful for the Ecclesiastical Commissioners for England in recommending to Her Majesty in Council the formation of any new cure to be taken partly out of one diocese and partly out of another or others, to recommend also that such new cure shall form part of some one (to be specified by the said Commissioners) of such dioceses; and such new cure shall, upon its formation, become and be a part of the diocese so specified, and of no other diocese.

CHAPTER 15.

An Act for the regulation of the Royal Parks and Gardens. [27th June 1872.]

WHEREAS it is expedient to protect from injury the Royal parks, gardens, and possessions under the management of the Commissioners of Her Majesty's Works and Public Buildings, herein-after called the Commissioners, and to secure the public from molestation and annoyance while enjoying such parks, gardens, and possessions:

And whereas a list of such of the said parks and gardens and possessions as are now under the management of the Commissioners is contained in the second schedule hereto:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Parks Regulation Act, 1872."

Application of Act.

2. This Act shall apply to all the Royal parks, gardens, and possessions, the management of which is for the time being vested in the Commissioners, and such parks, gardens, and possessions are herein-after included under the term "park."

Definition of "park-keeper."

3. "Park-keeper" shall mean any person who, previously to the passing of this Act, has been or may hereafter be appointed keeper of a park as defined by this Act.

Penalty on violating regulations in schedule.

4. If any person does any act in contravention of any regulation contained in the first schedule annexed hereto, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds; but the regulations contained in the said schedule shall not take effect until the expiration of one calendar month after the passing of this Act.

Park-keeper may apprehend any offender whose name or residence is not known.

5. Any park-keeper in uniform, and any persons whom he may call to his assistance, may take into custody, without a warrant, any offender who in the park where such keeper has jurisdiction, and within the view of such keeper, acts in contravention of any of the said regulations, provided that the name or residence of such offender is unknown to and cannot be ascertained by such park-keeper.

If any such offender, when required by any park-keeper or by any police constable to give his name and address, gives a false name or false address, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds.

Penalty on assaults on park-keeper.

6. Where any person is convicted of an assault on any park-keeper when in the execution of his duty, such person shall, on conviction by a court of summary jurisdiction, in the discretion of the court, be liable either to pay a penalty not exceeding twenty pounds, and in default of payment to be imprisoned, with or without hard labour for a term not exceeding six months, or to be imprisoned for any term not exceeding six months with or without hard labour.

Powers, duties, and privileges of park-keeper.

7. Every park-keeper in addition to any powers and immunities specially conferred on him by this Act, shall, within the limits of the park of which he is keeper, have all such powers, privileges, and immunities, and be liable to all such duties and responsibilities, as any police constable has within the police district in which such park is situated; and any person so appointed a park-keeper as aforesaid shall obey such lawful commands as he may from time to time receive from the Commissioners in respect of his conduct in the execution of his office.

Police constables to have the same powers, &c. as park-keepers.

8. Every police constable belonging to the police force of the district in which any park, garden, or possession to which this Act applies is situate shall have the powers, privileges, and immunities of a park-keeper within such park, garden, or possession.

Rules to be laid before Parliament.

9. Any rule made in pursuance of the first schedule to this Act shall be forthwith laid before both Houses of Parliament,

if Parliament be sitting, or if not, then within three weeks after the beginning of the then next ensuing session of Parliament; and if any such rules shall be disapproved of by either House of Parliament within one month after the same shall have been so laid before Parliament, such rules, or such parts thereof as shall be disapproved of, shall not be enforced.

Publication of regulations.

10. Copies of regulations to be observed in pursuance of this Act by persons using a Royal park to which this Act applies shall be put up in such park in such conspicuous manner as the Commissioners may deem best calculated to give information to the persons using the park.

Saving of certain rights.

11. Nothing in this Act shall authorise any interference with any rights of way or any right whatever to which any person or persons may be by law entitled.

Act to be cumulative.

12. All powers conferred by this Act shall be deemed to be in addition to and not in derogation of any powers conferred by any other Act of Parliament, and any such powers may be exercised as if this Act had not been passed.

Saving of the rights of the Crown.

13. Nothing in this Act contained shall be deemed to prejudice or affect any prerogative or right of Her Majesty, or any power, right, or duty of the Commissioners, or any powers or duties of any officers, clerks, or servants, appointed by Her Majesty or by the Commissioners.

Saving of Metropolitan Streets Act.

14. Nothing in this Act contained shall affect the Metropolitan Streets Act, 1867, or the application thereof to any park to which it is by law applicable.

Summary proceedings for offences.

15. Any offence against this Act may be prosecuted before a court of summary jurisdiction, as follows:

In England, in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders," and any Act amending the last-mentioned Act.

In Scotland, the court of summary jurisdiction shall include any justice or justices of the peace, sheriff or sheriff substitute, police or other magistrate, proceedings before whom may be regulated by "The Summary Procedure Act, 1864," upon whom all jurisdictions, powers, and authorities necessary for the purposes of this Act are hereby conferred.

All offences under this Act in Scotland shall be prosecuted and all penalties recovered under the provisions of the Summary Procedure Act, 1864, at the instance of the procurator fiscal of the court before which such proceedings are instituted.

In Scotland, all penalties under this Act, other than those herein-before provided for, in default of payment may be enforced by imprisonment for a term to be specified in the judgment or sentence of the court, but not exceeding three calendar months, and all penalties imposed and recovered under this Act shall be paid to the clerk of court, and by him accounted for and paid to the fine fund of the court in which the fine is imposed.

"Court of summary jurisdiction" shall in this Act mean and include any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate or officer by whatever name called, to whom jurisdiction in respect of offences arising under this Act is given by this section or any Acts therein referred to.

The FIRST SCHEDULE above referred to.

REGULATIONS to be observed by PERSONS using the ROYAL PARKS.

1. No person shall drive or wheel into a park any vehicle, barrow, truck, or machine not admitted therein by the rules of the park.
2. No person shall drive or wheel in a park any vehicle, barrow, truck, or machine except in accordance with the rules of the park.
3. No person shall ride any horse or other animal in a park except in accordance with the rules of the park.
4. No groom or horsebreaker shall exercise or train any horse in any part of a park except at the times and in manner permitted by the rules of the park.
5. No person shall ride or drive furiously so as to endanger the safety or convenience of any other person using a park.
6. No person shall ride or drive on any road ordinarily set apart for riding or driving during such period as by notice in writing affixed thereto it may be declared unfit for use by reason of repairs or for any other special reason.
7. No person shall drill or practise military evolutions, or use arms, or play any game or music, or practise gymnastics or sell or let any commodity, in a park, except in accordance with the rules of the park.
8. No person shall deliver, or invite any person to deliver, any public address in a park except in accordance with the rules of the park.
9. No intoxicated person shall enter or remain in a park.
10. No person shall walk upon any shrubbery or flower bed, or enclosed plantation, or any other land specially enclosed.
11. No person shall use any water in a park for fishing, bathing, washing, or skating, or for any other purpose, except in accordance with the rules of the park.
12. No person shall allow any dog to be at large in a park except in accordance with the rules of the park.

13. No person shall destroy or injure any tree, shrub, or plant, or pluck any flower or leaf thereof, or injure or deface any building, structure, seat, railing, or other property in or enclosing a park, or put up, fix, or exhibit any advertisement, posting bill, or other paper in a park.

14. No person shall commit any act in violation of public decency, or use profane, indecent, or obscene language to the annoyance of other persons using a park.

15. No person shall discharge any firearm, or wantonly throw or discharge any stone or other missile to the damage or danger of any person, or make any bonfire, or throw or set fire to any firework in a park.

16. No person shall wilfully interfere with or annoy any other person using or enjoying a park, or any part thereof, in accordance with the rules of the park, or otherwise using or enjoying the same in any lawful manner.

17. No person shall wilfully disturb any animal grazing in a park, or otherwise worry or ill-treat any animal in a park, or in the waters thereof.

18. No person shall enter into or remain in any part of a park during any time between sunset and sunrise appointed for closing the same, except for the purpose of passing along a way kept open for the use of the public.

19. For the purposes of this schedule "the rules of the park" shall be deemed to be such rules as may in relation to any matter within the jurisdiction of the ranger (if any) of the park be from time to time made by the ranger, and in relation to any other matter to which these regulations are applicable be from time to time made by the Commissioners of Her Majesty's Works and Public Buildings.

20. Any rules, whether made by the ranger or by the Commissioners of Her Majesty's Works and Public Buildings, shall be issued under the common seal of the said Commissioners; and any rules purporting to be the rules of the park may be proved by the production of a copy thereof purporting to be printed by the printers of Her Majesty.

The SECOND SCHEDULE above referred to.

Hyde Park.
Saint James's Park.
The Green Park.
Kensington Gardens.
Parliament Square Garden.
Regent's Park.
Kennington Park.
Primrose Hill.
Victoria Park
Battersea Park.
Greenwich Park.
Kew Gardens, Pleasure Grounds, and Green.
Hampton Court Park, Hampton Court Gardens and Green.
Richmond Park and Green.
Bushy Park.
Holyrood Park.
Linlithgow Peel or Park.

CHAPTER 16.

An Act to amend the Cattle Disease (Ireland) Act Amendment Act, 1870. [27th June 1872.]

WHEREAS by the Cattle Disease Act (Ireland) 1866, as amended by the Cattle Disease (Ireland) Amendment Act, 1870, certain powers were conferred upon the Lord Lieutenant or other Chief Governor or Governors of Ireland, by and with the advice of Her Majesty's Privy Council in Ireland, to make orders and regulations as therein mentioned for the more effectually preventing the spreading of contagious or infectious disease amongst cattle, sheep, horses, swine, or other animals, and for other purposes in the said Acts mentioned:

And whereas for the purpose of giving effect to the provision of the said Acts, certain persons have been appointed by the Lord Lieutenant to act in the execution of the same, and now constitute the Veterinary Department of Her Majesty's Privy Council Office in Ireland, and it is expedient to make provision for the payment of the salaries and expenses of the persons so appointed, and of the said Veterinary Department:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Expenses of Veterinary Department to be fixed by Lord Lieutenant, with approval of Treasury.

1. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, with the approval of the Commissioners of Her Majesty's Treasury, to fix the salaries and allowances to be paid to the officers and persons acting in the execution of the said Acts in the Veterinary Department of Her Majesty's Privy Council Office in Ireland, and all such salaries and allowances, and all the charges and expenses which have been or may hereafter be incurred in the maintenance and management of the said department, shall be paid out of moneys to be provided by Parliament for that purpose.

Short title.

2. This Act may be cited for all purposes as "The Cattle Disease (Ireland) Amendment Act, 1872."

CHAPTER 17.

An Act to amend the Laws for the Regulation of Charitable Loan Societies in Ireland.

[27th June 1872.]

WHEREAS by an Act passed in the session of Parliament held in the sixth and seventh years of the reign of Her present Majesty, intituled "An Act to consolidate and amend "the Laws for the regulation of Charitable Loan Societies in "Ireland," (in this Act referred to as "the principal Act,") a board, denominated "The Loan Fund Board," was established for the superintendence of all loan societies and for other purposes in the said Act mentioned:

And whereas by section forty-six of the principal Act, it was, amongst others, enacted that the said Loan Fund Board should cause a sufficient number of forms of notes to be printed in the manner therein directed, and should, subject to the conditions therein stated, and upon payment for every form of such note of one penny, transmit or deliver such number of the said forms as they should be required to each loan society established under the principal Act:

And whereas the revenues of the said Loan Fund Board have been insufficient for the purposes of the principal Act, and it is expedient, with a view to increase such revenues, to amend the principal Act by providing that the sum payable upon every such note shall be increased in manner by this Act provided:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Loan Societies (Ireland) Act, 1843; Amendment Act, 1872."

Price of forms of promissory note.

2. The sum to be paid by each loan society established under the principal Act for every form of a note supplied to them by the Loan Fund Board in pursuance of section forty-six of the principal Act, shall, after the passing of this Act, be twopence instead of one penny, as prescribed by the said section.

CHAPTER 18.

An Act for regulating Inquiries by the Board of Trade. [27th June 1872.]

WHEREAS by the Metropolis Water Act, 1871, it is provided that certain inquiries shall be conducted by the Board of Trade:

And whereas doubts have been entertained as to the mode in which in this and other similar cases such inquiries should be conducted:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Inquiries may be conducted by persons authorised.

1. That wherever in any Act of Parliament it is directed that an inquiry shall be held or instituted by the Board of Trade, the same shall be deemed to have been duly held or instituted if conducted by any person or persons duly authorised in that behalf by the President of the said Board, by writing under his hand or under the hand of one of the Secretaries of the said Board.

CHAPTER 19.

An Act for the Prevention and Punishment of Criminal Outrages upon Natives of the Islands in the Pacific Ocean. [27th June 1872.]

WHEREAS criminal outrages by British subjects upon natives of islands in the Pacific Ocean, not being in Her Majesty's dominions, nor within the jurisdiction of any civilized power, have of late much prevailed and increased, and it is expedient to make further provision for the prevention and punishment of such outrages:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Kidnapping Act, 1872."

Definition of terms.

2. The term "Governor" shall include the officer for the time being administering the government of any of the Australasian Colonies, and "Governor in Council" shall mean the Governor acting by and with the advice of the Executive Council of the Colony under his government:

The term "Australasian Colonies" shall mean and include the colonies of New South Wales, New Zealand, Queens-

land, South Australia, Tasmania, Victoria, and Western Australia:

The term "vessel" shall include a ship or boat:

The term "oath" shall include any affirmation or declaration taken or made in lieu of an oath:

The term "master" shall include any person for the time being in command or charge of a vessel.

No British vessel to carry native labourers unless the master has given a bond and received a license.

3. It shall not be lawful for any British vessel to carry native labourers of the said islands, not being part of the crew of such vessel, unless the master thereof shall, with one sufficient surety to be approved by the Governor of one of the said Australasian colonies, or by a British consular officer appointed by Her Majesty to reside in any of the said islands, or by any person appointed by either of those officers, have entered into a joint and several bond in the sum of five hundred pounds, to Her Majesty, her heirs and successors, in the form contained in Schedule (A.) to this Act annexed, or in such other form as shall be prescribed by the legislature of any of the Australasian colonies in respect of vessels sailing from the ports of such colony, nor unless he shall have received a license in the form contained in Schedule (B.) to this Act annexed from any such Governor or British consular officer.

Penalty of bond, how recoverable.

4. The said penal sum of five hundred pounds shall be due and recoverable notwithstanding any penalty or forfeiture imposed by this Act, and whether such penalties or forfeitures shall have been sued for and recovered or not.

Power to Governor and consular officer to grant licenses.

5. It shall be lawful for any such Governor or British consular officer as aforesaid, upon being satisfied that a bond has been duly given by the master of any British vessel under the third section of this Act, to grant, if he shall think fit, to such master a license in the form contained in the said Schedule (B.)

Seizure, &c. of vessels carrying native labourers without license, &c.

6. All the provisions of this Act with respect to the detention, seizure, bringing in for adjudication before any Vice-Admiralty Court, trial, condemnation, or restoration of vessels suspected of being employed in the commission of any of the offences enumerated in the ninth section of this Act shall, mutatis mutandis, apply to any British vessel which shall be found carrying such native labourers without a license or in contravention of the terms of any license which may have been granted to the master thereof.

Penalty for carrying natives without a license.

7. The master of any vessel carrying such native labourers without such license or in contravention of the terms of any license which may have been granted to him, shall be liable to a fine of not exceeding five hundred pounds, which may be sued for and enforced in and by any court of justice of the

Australasian colonies; but nothing herein contained shall be taken to affect the liability of such master for any offence committed by him under the ninth or tenth sections of this Act: Provided always, that the aggregate sum imposed or recoverable by way of penalty under this Act shall in no case exceed the sum of five hundred pounds.

Vessels complying with provisions of Colonial Acts not liable to seizure, &c.

8. Nothing herein contained shall be taken to affect the provisions of an Act passed by the legislature of Queensland, intituled "An Act to regulate and control the introduction "and treatment of Polynesian labourers," nor of any Act of a like kind passed or which may be passed by the legislature of any of the Australasian colonies not being inconsistent with the provisions of this Act; and the provisions of this Act in respect of vessels carrying native labourers without a license or in contravention of the terms of a license, shall not apply to any vessel which has complied with the regulations and conditions imposed by the said Queensland Act or by any other Act of a like kind passed or which may be passed by the legislature of any of the Australasian colonies as aforesaid, proof of which compliance shall lie upon the master of such vessel.

Colonial courts empowered to try certain offences.

9. If a British subject commits any of the following offences; that is to say,

1. Decoys a native of any of the aforesaid islands for the purpose of importing or removing such native into any island or place other than that in which he was at the time of the commission of such offence; or carries away, confines, or detains any such native for the purpose aforesaid, without his consent, proof of which consent shall lie on the party accused:
2. Ships, embarks, receives, detains, or confines, or assists in shipping, embarking, receiving, detaining, or confining, for the purpose aforesaid, a native of any of the aforesaid islands, on board any vessel either on the high seas or elsewhere without the consent of such native, proof of which consent shall lie on the party accused:
3. Contracts for the shipping, embarking, receiving, detaining, or confining on board any vessel for the purpose aforesaid any such native without his consent, proof of which consent shall lie on the party accused:
4. Fits out, mans, navigates, equips, uses, employs, lets, or takes on freight or hire any vessel, or commands, or serves, or is on board any such vessel with intent to commit, or that any one on board such vessel should commit, any of the offences above enumerated:

5. Ships, lades, receives, or puts on board, or contracts for the shipping, lading, receiving, or putting on board of any vessel money, goods, or other articles, with the intent that they should be employed, or knowing that they will be employed, in the commission of any of the offences above enumerated;

he shall for each offence be guilty of felony, and shall be liable to be tried and punished for such felony in any Supreme Court of justice in any of the Australasian colonies, and shall, upon conviction, be liable at the discretion of the court to the highest punishment other than capital punishment, or to any less punishment, awarded for any felony by the law of the colony in which such offender shall be tried.

Punishment of accessories.

10. Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender.

Venue in respect of offences by persons.

11. Any offence against this Act may be described in any indictment, information, or other document relating to such offence in cases where the mode of trial requires such a description, as having been committed at the place where it was wholly or partly committed, or it may be averred generally to have been committed within Her Majesty's dominions, and the venue or local description in the margin may be that of the county, city, town, or place in which the trial is held.

Courts may issue commissions for examination of witnesses.

12. In all cases of indictment or information laid or exhibited in the Supreme Court of any of the Australasian colonies for any offence under this Act, such Supreme Court, upon motion to be made on behalf of the prosecutor or accused, may order a commission or commissions to issue for the examination of witnesses upon oath, and to receive proof at any place or places out of the jurisdiction of such court concerning the matters charged in such indictment or information; and the said Supreme Court is hereby required and authorised by the same or any subsequent order or orders to make such rules and give such directions as to the time, place, and mode of executing such commission or commissions, and as to the notice thereof to be given to the party accused, and as to the proper return of the depositions taken and the matters done thereunder, as to the said court shall seem fitting and proper, and the depositions being duly taken under such commission or commissions and returned to the said court shall be allowed and read as if the witness so deposing had been present, sworn, and examined vivâ voce at any trial for such offences as aforesaid in the said Supreme Court, any law or usage to the contrary thereof notwithstanding.

Powers to secure attendance

13. In all cases of indictment or information laid or exhibited in the Supreme Court of any of the Australasian colonies for

of native witnesses.

any offence under this Act, the Governor in Council of such colony may authorise and empower the commander of any of Her Majesty's ships or vessels, or the master of any ship or vessel trading with the inhabitants or natives of the said islands, to obtain the attendance as a witness of any native of any of the said islands for the purpose of giving evidence either before the said Supreme Court or before any commission for the examination of witnesses ordered by such court, and to transport and convey such witness to the colony in which such offence shall be tried or to the place where such commission shall be held, and also to remunerate such witness by such sum of money or other remuneration as the said Governor in Council shall see fit to authorise for his attendance to give evidence as aforesaid, and for his reconveyance back to the island or place from whence he shall have been so brought.

Mode of taking evidence.

14. In all cases in which an oath may be lawfully administered to any person either as a witness or deponent in any proceeding under this Act, it shall be the duty of the court or commissioner, or officer administering the same, to ascertain, as far as possible, in what form such oath will be binding on the conscience of such witness or deponent, and to administer such oath in such form accordingly; and the Court before which such proceedings shall take place or a commissioner under any commission as aforesaid may declare in what manner the evidence shall be taken of witnesses or deponents who are ignorant of the nature of an oath, and the evidence or deposition taken in any such form or manner as aforesaid shall be as valid as if an oath had been administered in the ordinary manner.

Punishment of persons giving false evidence.

15. Every person who shall wilfully and corruptly give false evidence in any examination, deposition, or affidavit had or taken in any proceeding under this Act shall be deemed guilty of perjury, and upon conviction thereof shall be liable to the pains and penalties to which persons convicted of wilful and corrupt perjury are liable, and every such person may be tried either in the place where the offence was committed, or in the Supreme Court of any of the Australasian colonies.

Powers to seize suspected British vessels.

16. Any British vessel which shall upon reasonable grounds be suspected:

(1.) Of being employed in the commission of any of the offences enumerated in the ninth section of this Act; or

(2.) Of having been fitted out for such employment; or

(3.) Of having during the voyage on which such vessel is met been employed in the commission of any such offence,

may be detained, seized, and brought in for adjudication upon the charge of being or having been so employed or fitted out as aforesaid before any Vice-Admiralty Court in any of Her

Majesty's dominions by any of the following officers; that is to say,—

(1.) Any officer of customs or public officer in any British possession, subject nevertheless to any special or general instructions from the Governor or officer administering the government of such possession:

(2.) Any commissioned officer on full pay in the military service of the Crown, subject nevertheless to any special or general instructions from his commanding officer:

(3.) Any commissioned officer on full pay in the naval service of the Crown, subject nevertheless to any special or general instructions from the Admiralty or his superior officer:

(4.) Any consul or consular agent appointed by Her Majesty to reside in any island not within the jurisdiction of any civilized power.

Powers of officers authorised to seize ships.

17. Any officer authorised to seize or detain any vessel in respect of any offence against this Act may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of Her Majesty's army or navy, or marines, or any excise officers or officers of customs, or any harbour-master or dock-master, or any officers having authority by law to make seizures of vessels, and may put on board any vessel so seized or detained any one or more of such officers to take charge of the same and to enforce the provisions of this Act, and any officer seizing or detaining any vessel under this Act may use force, if necessary, for the purpose of enforcing seizure or detention.

Powers of Vice-Admiralty Courts.

18. The Vice-Admiralty Court before which any vessel is so brought for adjudication shall have full power and authority to take cognizance of, and try the charge upon which such vessel is brought in, and may on proof thereof condemn the vessel and cargo, or either, as the case may be, as forfeited to Her Majesty, or may order such vessel and cargo, or either of them, to be restored with or without costs and damages, as to the court shall seem fit; and in any such proceedings the said court shall have such powers to issue commissions for the examination of witnesses, and to give directions in respect thereof, as are herein-before vested in the Supreme Courts of the Australasian colonies; and the said court shall, in addition to any power given to it by this Act, have in respect of any vessel or other matter brought before it in pursuance of this Act, all powers which it has in the case of a vessel or matter brought before it in the exercise of its ordinary jurisdiction.

Payment of costs, &c.

19. When any detention or seizure shall be made under this Act, and proceedings instituted in any Vice-Admiralty Court in respect of such detention or seizure, it shall be lawful for the Lords Commissioners of Her Majesty's Treasury, if to

their discretion it shall seem meet, to direct payment to be made of the whole or any part of the costs, damages, and expenses which may be incurred in such proceedings.

Indemnity to officers.

20. Subject to the provisions of this Act providing for the award of damages in certain cases in respect of the seizure or detention of a vessel by the Vice-Admiralty Court, no damages shall be payable, and no officer or local authority shall be responsible, either civilly or criminally, in respect of the seizure or detention of any vessel in pursuance of this Act.

Proclamation of Act.

21. This Act shall be proclaimed in the several Australasian colonies by the respective Governors thereof, within six weeks after a copy of such Act shall have been received by such Governors respectively, and shall take effect in the several colonies from the day of such proclamation.

Act not to affect 9 Geo. 4. c. 83.

22. Nothing in this Act contained shall be taken to affect the powers vested in the Supreme Courts of New South Wales and Tasmania under the Act 9 Geo. IV. c. 83.

SCHEDULES.

SCHEDULE (A.)

FORM of BOND to be entered into by Masters of Vessels under "The Kidnapping Act, 1872."

Know all men by these presents, that we *A.B.* of and *C.D.* of are held and firmly bound unto our Sovereign Lady Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, in the sum of five hundred pounds of good and lawful money of Great Britain, to be paid to our said Sovereign Lady the Queen, her heirs and successors, to which payment, well and truly to be made, we bind ourselves and every of us, jointly and severally, for and in the whole, our heirs, executors, administrators, and every of them, firmly by these presents.

Sealed with our seals. Dated this day of 187 .

Whereas it is enacted by "The Kidnapping Act, 1872," that no British vessel shall carry native labourers of islands in the Pacific Ocean not being within the jurisdiction of any civilized power unless the master of such vessel, together with one sufficient surety to be approved by the Governor of one of Her Majesty's Australasian colonies, or by a British consular officer, or by any person appointed for the purpose by either of those officers, shall have given to Her Majesty, her heirs and successors, a bond in the sum of five hundred pounds for the prevention of kidnapping, and for the due observance of the requirements of the said Act and of the license which the said master is thereby required to obtain.

Now the condition of this obligation is this, that if in respect of the vessel , whereof the above bounden *A.B.* is master, all and every the requirements of the said Act and of the

license issued thereunder to the said master shall be well and truly performed, and if the above bounden *A.B.* shall satisfy the governor of any of Her Majesty's Australasian colonies, or the British consular officer aforesaid, that no kidnapping was allowed or connived at by any person on board of or connected with said vessel during the currency of the said license, then this obligation is to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above bounden } (L.S.)
A.B. and *C.D.* in the presence of } (L.S.)
E.F. of

SCHEDULE (B.)

(*Royal Arms.*)

LICENSE for the Carriage by Sea of Native Labourers.

A.B., Master of the , the vessel more particularly described below, having duly given to Her Majesty Queen Victoria the bond required by "The Kidnapping Act, 1872," for the prevention of kidnapping and the due observance of the requirements of the said Act, I (the Governor of the colony of *or* Her Majesty's consul of , *as the case may be*,) do hereby, in exercise of the authority for that purpose conferred on me by the said Act, license the said vessel to carry not more than native labourers from to . Should this vessel be found to answer the subjoined description and appear to be strictly engaged in the lawful pursuit of the above-mentioned object it is the direction of Her Majesty's Government that she shall not be obstructed in the prosecution of her present voyage nor in the shipment or landing of her native passengers.

This license shall not be transferable, and shall be available only for the voyage from to aforesaid, and for a period not exceeding days from the date hereof.

Description of the Vessel above referred to.

Tons (registered tonnage),
Rig (*i.e.* ship, barque, brig, &c.),
How painted,
Name painted on stern,
Whether any poop,
Whether any quarter galleries,
Whether a top gallant forecastle,
Name of chief officer,
Number of officers and crew, including surgeon, if any,
Bound from to , and intending to call at and .

Given under my hand and seal at this day of 187 .

Governor *or* Consul, *as the case may be.*
(L.S.)

To the respective Flag Officers, Captains, and Commanding Officers of Her Majesty's Ships, and to all others whom it may concern.

CHAPTER 20.

An Act to grant certain Duties of Customs and Inland Revenue, and to alter other Duties.

[27th June 1872.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Customs and Inland Revenue Act, 1872."

PART I.

AS TO CUSTOMS.

Customs duties on tea continued until 1st August 1873.

2. The duties of customs now chargeable on tea, on the importation thereof into Great Britain or Ireland, shall continue to be charged on and after the first day of August one thousand eight hundred and seventy-two until the first day of August one thousand eight hundred and seventy-three, viz.,

		£	s.	d.
Tea - - - -	the lb.	0	0	6

Customs duties on coffee and chicory reduced.

In lieu of the duties of customs now chargeable on the articles under mentioned, on importation into Great Britain and Ireland, the following duties shall be charged from and after the first day of May one thousand eight hundred and seventy-two; viz.,

		£	s.	d.
Coffee - - - -	the cwt.	0	14	0
„ kiln dried, roasted or ground	the lb.	0	0	2
Chicory or any other vegetable matter applicable to the uses of chicory or coffee:				
Raw or kiln dried - -	the cwt.	0	13	3
Roasted or ground - -	the lb.	0	0	2

A drawback shall be allowed on all roasted coffee exported as ship's stores, or removed to the Isle of Man for consumption there, equal in amount to the duty on raw coffee.

	£	s.	d.	
From and after the first day of May 1872 in lieu of the duty of customs now payable on coffee on its importation into the Isle of Man, there shall be charged the duty of - - - the lb.	0	0	1	Isle of Man, duty on coffee.
From and after the first day of May 1872 there shall be charged on chicory, or any other vegetable substance applicable to the uses of chicory or coffee, on its importation into the Isle of Man, the duty of - - - - the lb.	0	0	1	Isle of Man, duty on chicory.

And all the provisions contained in any Act relating to customs duties and drawbacks, and in force at the time of the passing of this Act, shall, so far as the same are applicable, have full force and effect with respect to the said duties and drawbacks of customs granted and allowed by this Act.

As to stamp duty on commissions granted by Commissioners of Customs.

3. Any commission or deputation granted by the Commissioners of Customs after the passing of this Act (except the first appointment of any person to the office or employment of outdoor officer, boatman, waterman, or watchman) shall be charged with the stamp duty of one pound ten shillings in lieu of the duty now chargeable thereon.

Extension of 16 & 17 Vict. c. 107. s. 44. to articles of foreign manufacture purporting to be manufactured in United Kingdom.

4. There shall be included among goods absolutely prohibited to be imported inwards or in transit any articles of foreign manufacture, and any packages of such articles, bearing any name, brand, or mark which states or implies that such articles were manufactured at any place in the United Kingdom.

Any name, brand, or mark which states or implies that any such articles were manufactured at a town or place having the same name as a place in the United Kingdom shall, unless accompanied by the name of the country in which such place is situate, be deemed for the purposes of this section to state or imply that such articles were manufactured at a place in the United Kingdom.

PART II.

AS TO EXCISE.

Excise duty on chicory reduced from 1st May 1872.

5. In lieu of the duty of excise now chargeable on the articles under mentioned, the following duty of excise shall from and after the first day of May one thousand eight hundred and seventy-two be charged thereon:

All chicory or any other vegetable matter applicable to the uses of chicory or coffee grown in the United Kingdom:

For every hundredweight thereof, raw or kiln dried, the duty of twelve shillings and one penny, and so

in proportion for any greater or less quantity than a hundredweight.

And all the provisions contained in any Act relating to excise duties, and in force at the time of the passing of this Act, shall, so far as the same are applicable, have full force and effect with respect to the duty of excise granted by this Act.

Exemption of husbandry carts and horses used on Sunday, &c. from duty under 32 & 33 Vict. c. 14.

6. From and after the passing of this Act no person shall be required to take out a license under the Act of the thirty-second and thirty-third years of the reign of Her present Majesty, chapter fourteen, for any waggon or cart used for conveying the owner thereof or his family to or from any place of Divine Worship on Sunday, or on Christmas Day, or on Good Friday, or on any day appointed for a Public Fast or Thanksgiving, provided that such waggon or cart is otherwise used solely for the conveyance of burden in the course of husbandry, and is duly marked according to the provision numbered six of section nineteen of the said Act; and no person shall be required to take out a license under the said Act for any horse or mule by reason of the same being used for drawing a waggon or cart for which a license is not required under this section.

PART III.

STAMPS.

Amendment of 33 & 34 Vict. c. 97. (schedule) as to bills of the Accountant General of the Navy.

7. So much of the Stamp Act, 1870, as limits the exemption from stamp duty of bills of exchange drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, upon, and payable by, the Accountant General of the Navy to bills drawn under the authority of any Act of Parliament, is hereby repealed.

PART IV.

AS TO INCOME TAX.

Grant of duties of income tax.

8. There shall be charged, collected, and paid for one year, commencing on the sixth day of April one thousand eight hundred and seventy-two, in respect of all property, profits, and gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following duties of income tax; (that is to say,)

For every twenty shillings of the annual value or amount of all such property, profits, and gains chargeable under Schedules (A.), (C.), (D.), and (E.) of the said Act the duty of fourpence;

And in respect of the occupation of lands, tenements, hereditaments, and heritages chargeable under Schedule (B.) of the said Act, for every twenty shillings of the annual value thereof:

In England, the duty of twopence; and

In Scotland and Ireland respectively, the duty of one penny halfpenny.

Provisions of Income Tax Acts to apply to duties hereby granted.

9. All such provisions contained in any Act relating to income tax as were in force on the fifth day of April one thousand eight hundred and seventy-two shall have full force and effect with respect to the duties of income tax granted by this Act so far as the same shall be consistent with the provisions of this Act, and for the purposes of this Act the year one thousand eight hundred and sixty-two, mentioned in the forty-third section of the Act of the twenty-fifth and twenty-sixth years of Her Majesty's reign, chapter twenty-two, shall be read as and deemed to mean the year one thousand eight hundred and seventy-two.

As to assessment of income tax under Schedules (A.) and (B.)

10. With respect to the assessment of the duties of income tax hereby granted under Schedules (A.) and (B.) of the Act of the sixteenth and seventeenth years of the reign of Her Majesty, chapter thirty-four, the following provisions shall have effect:

(1.) The sum charged as the annual value of any property in the assessment of income tax thereon for the year which commenced on the sixth day of April one thousand eight hundred and seventy-one shall be taken as the annual value of such property for the assessment and charge thereon of the duties of income tax hereby granted, to all intents and purposes as if such sum had been estimated to be the annual value in conformity with the provisions in that behalf contained in the Acts relating to income tax:

(2.) The commissioners executing the said Acts relating to income tax shall, for each place within their district, cause duplicates of the assessments to be made out and delivered to the collectors, together with the warrants for collecting the same:

(3.) The commissioners executing the said Acts in England shall, for each place within their district, appoint such persons, being inhabitants of the place, as they shall think fit, to be collectors of the duties in like manner as if such persons had been presented to them by assessors in conformity with the said Acts.

No assessors to be appointed.

11. No assessors shall be appointed for the duties payable under Schedules (A.) and (B.), but the inspectors or surveyors of taxes shall be the assessors in respect of such duties,

wherever and whenever it may be necessary to make assessments, and in lieu of the poundage by law granted to be divided between the assessors and collectors in regard to such duties, there shall be paid a poundage of three halfpence to the collectors thereof.

Exemption where income is under 100*l.*, and abatement where income is under 300*l.*

12. The exemption from income tax granted by the Acts relating to income tax to any person whose income is less than one hundred pounds is hereby continued, and in lieu of the relief granted by section three of the Act of the twenty-sixth and twenty-seventh years of Her Majesty's reign, chapter twenty-two, to a person whose income, although amounting to one hundred pounds or upwards, is less than two hundred pounds, the following relief or abatement shall be given or made to a person whose income is less than three hundred pounds, that is to say, any person who shall be assessed or charged to any of the duties of income tax granted by this Act, or who shall have paid the same, either by deduction or otherwise, and who shall claim and prove in the manner prescribed by the said Acts that his total income from all sources, although amounting to one hundred pounds or upwards, is less than three hundred pounds, shall be entitled to be relieved from so much of the said duties assessed upon or paid by him as an assessment or charge of the said duties upon eighty pounds of his income would amount unto, and the relief shall be given either by reduction or abatement of the assessment upon such person, or by the repayment to him of so much of the excess as he shall have paid, or by both of those means, as the case may require.

PART V.

Interpretation of term "horse dealer."

13. Whereas doubts have been raised as to the construction and extent of the term horse dealer in the Act of the thirty-second and thirty-third years of Her present Majesty, chapter fourteen, be it enacted, that the term horse dealer as used in such Act and for the purposes of the same shall mean and include only such persons as shall buy and sell horses as a trade, occupation, and means of livelihood.

CHAPTER 21.

An Act to amend the Law relating to Reformatory and Industrial Schools. [27th June 1872.]

WHEREAS it is expedient to enlarge the powers now given to prison authorities in England by the Reformatory Schools Act, 1866, section twenty-eight, and by the Industrial Schools Act, 1866, section twelve:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Short title.

1. This Act may be cited as the Reformatory and Industrial Schools Acts Amendment Act, 1872.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

PART I.

REFORMATORY SCHOOLS.

Interpretation.

3. This part of this Act shall be construed as one with the Reformatory Schools Act, 1866, and that Act and this part of this Act may be cited together as the Reformatory Schools Acts, 1866 and 1872.

Extension of power of prison authority under 29 & 30 Vict. c. 117. s. 28.

4. Whereas by section twenty-eight of "The Reformatory Schools Act, 1866," it is provided that "a prison authority "in England may from time to time contribute such sums "of money, and upon such conditions, as it may think fit "towards the alteration, enlargement, or rebuilding of a cer- "tified reformatory school, or towards the support of the "inmates of such a school, or towards the management of "such a school, or towards the establishment or building of a "school intended to be a certified reformatory school, or "towards the purchase of any land required for the use of an "existing certified reformatory school, or for the site of any "school intended to be a certified reformatory school," subject to the provisoes therein contained: Be it enacted, that the said section shall extend to authorise a prison authority in England themselves to undertake anything towards which they are authorised by that section to contribute; and "The Reformatory Schools Act, 1866," shall be construed as if in the said section, so far as it relates to England, the expressions "contribute towards" and "contribution" included respectively "undertake" and "undertaking"; and the expenses of a prison authority in England incurred in pursuance of this section shall be defrayed accordingly.

Power to contribute towards ultimate disposal of inmates of certified reformatory schools.

5. A prison authority in England may contribute towards the ultimate disposal of any inmate of a certified reformatory school established by such authority in pursuance of this part of this Act, and the expenses incurred by a prison authority in England in pursuance of this section shall be deemed to be expenses incurred by such authority in carrying into effect the provisions of the Reformatory Schools Act, 1866.

PART II.

INDUSTRIAL SCHOOLS.

Construction of part of Act.

6. This part of this Act shall be construed as one with "The Industrial Schools Act, 1866," and that Act and this part of this Act may be cited together as the Industrial Schools Acts, 1866 and 1872.

Extension of power of prison authority under 29 & 30 Vict. c. 118. s. 12.

7. Whereas by section twelve of "The Industrial Schools Act, 1866," it is provided that "a prison authority in England "may from time to time contribute such sums of money, "and on such conditions, as they think fit towards the "alteration, enlargement, or rebuilding of a certified industrial "school, or towards the support of the inmates of such school, "or towards the management of such a school, or towards "the establishment or building of a school intended to be "a certified industrial school, or towards the purchase of "land required either for the use of an existing certified "industrial school, or for the site of a school intended to "be a certified industrial school," subject to the provisoes therein contained: Be it enacted, that the said section shall extend to authorise the prison authority themselves to undertake anything towards which they are authorised by that section to contribute; and "The Industrial Schools Act, 1866," shall be construed as if in the said section, so far as it relates to England, the expressions "contribute towards" and "contribution" included respectively "undertake" and "undertaking"; and the expenses of a prison authority in England incurred in pursuance of this section shall be defrayed accordingly.

Application and amendment of 33 & 34 Vict. c. 75. s. 27. as to industrial schools.

8. Whereas by section twenty-seven of "The Elementary Education Act, 1870," it is enacted, that upon the election of a School Board in a borough, the council of that borough should cease to have power to contribute under section twelve of "The Industrial Schools Act, 1866," be it enacted, that the said enactment shall extend to all powers conferred on a prison authority by this part of this Act, and the date at which the power of a prison authority of a borough, who have during not less than six months before the election of a School Board in such borough contributed to or maintained any industrial school, ceases in pursuance of the said enactment, shall be and be deemed always to have been the date at which the School Board in the borough resolve, in the manner and with the approval (if any) provided by section twelve of "The Industrial Schools Act, 1866," to contribute, in pursuance of that section, to the industrial school to which the prison authority have so contributed, or, as the case may be, resolve, under the provisions of and with the consent required by "The Elementary Education Act, 1870," to maintain such

industrial school; provided that any such industrial school which was so maintained by the prison authority may, notwithstanding any such resolution, continue to be maintained by the prison authority, unless they agree to transfer such school to the School Board.

Power to contribute towards ultimate disposal of inmates of certified industrial schools.

9. A prison authority in England may contribute towards the ultimate disposal of any inmate of a certified industrial school established by such authority in pursuance of this part of this Act, and the expenses incurred by a prison authority in England in pursuance of this section shall be deemed to be expenses incurred by such authority in carrying into effect the provisions of the Industrial Schools Act, 1866.

CHAPTER 22.

An Act to repeal an Act, intituled "An Act to restrain "Party Processions in Ireland."

[27th June 1872.]

WHEREAS it is expedient to repeal the Act passed in the session of Parliament held in the thirteenth and fourteenth years of the reign of Her present Majesty, chapter two, intituled "An Act to restrain Party Processions in Ireland:" 13 Vict. c. 2.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of 13 Vict. c. 2.

1. From and after the passing of this Act the said Act passed in the session of Parliament held in the thirteenth and fourteenth years of the reign of Her present Majesty, chapter two, intituled "An Act to restrain Party Processions in Ireland," shall be and the same is hereby repealed.

CHAPTER 23.

An Act for amending the Law relating to the Harbours and Coasts of the Isle of Man.

[27th June 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as "The Isle of Man Harbours Act, 1872."

Commencement of Act.

2. This Act shall come into operation on the fifth day of July one thousand eight hundred and seventy-two, which date is in this Act referred to as the commencement of this Act.

Definitions.

3. In this Act—

The term "Treasury" means the Commissioners of Her Majesty's Treasury, or any two or more of them:

The term "Governor" means the governor, lieutenant governor, or deputy governor of the Isle of Man for the time being:

The term "receiver-general" means Her Majesty's receiver-general of the Isle of Man for the time being:

The term "Commissioners" means the Commissioners appointed under this Act:

The term "justice" includes a high bailiff:

The term "general lighthouse authority" means the general lighthouse authority under whose superintendence and management the lighthouses, buoys, and beacons of the Isle of Man may for the time being be:

The term "person" includes body corporate:

The term "tidal water" means any part of the sea or of a river within the ebb and flow of the tide at ordinary spring tide:

The term "tidal land" means such part of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides.

Constitution of Harbour Commissioners.

Dissolution of old Commissioners.

4. The Commissioners for executing the Acts mentioned in the second schedule to this Act (in this Act referred to as the old Commissioners) shall be dissolved, and the Commissioners under this Act shall be substituted for them. All the property, power, privileges, rights, and interests of the old Commissioners, and all their contracts, obligations, debts, and liabilities shall be transferred to and vested in, or be due to and from and recoverable by and from the Commissioners under this Act, who shall in all respects and for all purposes be deemed to be the successors of the old Commissioners, and all Acts of Parliament and all Acts of the Tynwald of the Isle of Man relating to the old Commissioners shall be construed as if the Commissioners under this Act were named therein; and all resolutions, byelaws, and regulations and acts of the old Commissioners shall, until altered under this Act, continue in force and be applicable as if the same were resolutions, byelaws, regulations, and acts duly passed or made by the Commissioners under this Act, and for the purposes of this Act all property and rights vested in the receiver-general, and either held in trust for the old Commissioners, or being under their management, and all liabilities of and debts due to or from the receiver-general, as representing the old Commis-

sioners, shall be deemed to be property, rights, and liabilities of and debts due to and from the Commissioners under this Act.

Appointment of Commissioners.

5. The Commissioners under this Act shall consist of the receiver-general and of four persons who may from time to time be appointed by the Governor, subject to the approval of the Court of Tynwald, and who may from time to time be removed by the Governor.

The four Commissioners so appointed shall hold office for three years only, but shall be eligible for re-appointment, and any person appointed to fill a casual vacancy among such four Commissioners shall hold office only so long as the Commissioner in whose place he is appointed would have held office, but shall be eligible for reappointment. The fifth day of July, or if that day be Sunday, the sixth day of July shall be the day on which such Commissioners shall triennially retire from and the newly appointed Commissioners come into office, and the Commissioners who are first appointed shall retire from office on the said day in the year one thousand eight hundred and seventy-five.

Constitution of Commissioners.

6. With respect to the constitution of the Commissioners under this Act, the following provisions shall have effect; namely,

(1.) The Commissioners shall be a body corporate by the name of the Isle of Man Harbour Commissioners, with perpetual succession and a common seal, and power to hold lands for the purposes of this Act:

(2.) No act or proceeding of the Commissioners shall be questioned on account of any vacancy or vacancies in their body:

(3.) No defect in the appointment of any persons or person acting as a Commissioner or Commissioners shall be deemed to vitiate any proceedings of the Commissioners in which he or they have taken part, in cases where the majority of Commissioners parties to such proceedings were duly entitled to act:

(4.) Any minute made of proceedings at meetings of the Commissioners, if signed by any person purporting to be the chairman of the Commissioners, either at the meeting of the Commissioners at which such proceedings took place or at the next ensuing meeting of the Commissioners, shall be receivable in evidence in all legal proceedings without further proof; and until the contrary is proved every meeting of the Commissioners in respect of the proceedings of which minutes have been so made shall be deemed to have been duly convened and held, and all the Commissioners present thereat to have been duly qualified:

(5.) The Commissioners may apply any moneys in their hands for the purpose of indemnifying themselves against any law costs or damages which they may incur in or in consequence of the execution of the powers granted to them:

(6.) The rules contained in the first schedule to this Act with respect to the proceedings of the Commissioners, and the other matters therein contained, shall be observed in the same manner as if such rules were enacted in the body of this Act.

Payment of Commissioners.

7. Each of the Commissioners (other than the receiver-general) shall be paid out of the general revenue of the Isle of Man such reasonable sum for his expenses as the Governor may from time to time fix with the approval of the Treasury.

Property of Commissioners.

8. All land and property which is vested in the Commissioners shall be held by them in trust for the public service of the Isle of Man.

Powers of Commissioners.

Powers of Commissioners.

9. Subject to the provisions of this Act the Commissioners shall have power to do all or any of the following things; namely,

(1.) To maintain, repair, cleanse, and regulate the harbours of the Isle of Man in such manner as may be from time to time authorised under estimates furnished by the Commissioners to the Governor, and laid by him before and approved by the Court of Tynwald:

(2.) To construct such works for improving and enlarging the harbours in the Isle of Man, and in such manner as may be from time to time approved by the Treasury and the Court of Tynwald:

(3.) To make and maintain such lighthouses, lights, landmarks, seamarks, buoys, beacons, and other works necessary for the safety or accommodation of vessels using the harbours as may be from time to time sanctioned by the general lighthouse authority, and authorised under estimates furnished by the Commissioners to the Governor, and laid by him before and approved by the Court of Tynwald:

(4.) To acquire such land and easements as may be authorised by the Court of Tynwald:

(5.) To sell from time to time, with the approval of the Court of Tynwald, any property vested in them:

(6.) To demise any lands vested in them, and any interest therein, and Her Majesty's bay fisheries, but so that every such demise shall take effect in possession, and be for a term not exceeding twenty-one years, and for the best yearly rent that can be got:

(7.) To enter into such contracts as may be necessary for the better execution of this Act.

Incorporation of part of 10 & 11 Vict. c. 27.

10. The Harbours, Docks, and Piers Clauses Act, 1847, (with the exception of the sections with respect to the construction of the harbour, dock, or pier, with respect to lifeboats, with respect to keeping a tide and weather gauge, with respect to the police of the harbour, dock, or pier, and with respect to access to the special Act,) is incorporated with this Act, subject to the following provisions:

(1.) This Act shall be deemed to be the special Act:

(2.) The term "undertakers" in the said Act shall be construed to mean the Commissioners:

(3.) Other terms in the said Act shall have the same meaning as in this Act:

(4.) Accounts and other documents required to be sent to the clerk of the peace shall be sent to the Rolls Office in the Isle of Man:

(5.) Byelaws shall, subject to the provisions of the said Act, be confirmed by the Court of Tynwald of the Isle of Man, and the resolution of the Court of Tynwald confirming them shall be evidence of the existence and due making of the byelaws thereby confirmed:

(6.) All proceedings which if taken in England would be taken before a justice or justices shall be taken in the manner herein-after directed:

(7.) For the purposes of the sections relating to lighthouses, buoys, and beacons, the island shall be deemed to be within the jurisdiction of the general lighthouse authority, in the same manner as if it were in any part of the United Kingdom.

Appointment of meters and weighers.

11. The Commissioners may appoint and remove meters and weighers.

Commissioners to be pilotage authority.

12. So much of any general Act for the time being in force as relates to pilotage shall extend to the Isle of Man, and shall apply to the pilotage authority in the bays and harbours and on the coast of the Isle of Man within the meaning of any such general Act; and, subject to the provisions of any such Act, the Commissioners shall be the pilotage authority for the Isle of Man, and shall have power accordingly to examine and license pilots and to prevent persons who have not been examined from acting as pilots in the said bays and harbours.

Byelaws.

13. The Commissioners may, under the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, incorporated herewith, from time to time make such byelaws as they think

fit for all or any of the following purposes, in addition to the purposes mentioned in the said Act; namely,

(1.) For licensing and regulating pleasure boats and ferry boats plying or let or kept for hire in any of the harbours or on the coast of the island, and for regulating the conduct of the proprietors, crews, or persons having the charge, command, or management thereof, and for fixing the number of passengers or persons to be carried in any such boats, and the rates or fares to be paid for the hire thereof or for conveyance therein, so that the amount to be paid for each license shall not exceed ten shillings:

(2.) For licensing porters and carriers employed within the limits of any harbour under the management of the Commissioners:

(3.) For preventing small boats being used by boys or incompetent persons in the harbours or on the coast of the island:

(4.) For preventing injury to property of every description belonging to or under the management or control of the Commissioners.

Limits of harbour.

14. The Commissioners may from time to time, if directed by the Governor, submit to the Board of Trade proposals for defining, enlarging, or extending the limits of any harbour in the island, and such proposals, if approved by the Board of Trade, may be carried into effect by a resolution of the Court of Tynwald, and such resolution shall be conclusive evidence of the limits of the harbour therein referred to.

Conservancy.

Restriction on works affecting harbours or navigation.

15. Where the Commissioners or any persons whosoever have or claim to have a right to construct in the Isle of Man any work on, in, over, through, or across tidal land or a tidal water, or the seashore below low-water mark, the following provisions shall have effect:

(1.) Before commencing the construction of the work such Commissioners or persons (in this Act referred to as the constructors) shall deposit at the office of the Board of Trade a plan of the whole work:

(2.) The work shall not be constructed or commenced otherwise than according to a plan approved by the Board of Trade, and on such terms and conditions as may be imposed by the said Board:

(3.) If the land, water, or shore on, in, over, through, or across which the work is to be constructed is under the jurisdiction of any authority entrusted with the duty of conserving, maintaining, or improving the navigation of any tidal water, the Board of Trade shall not approve such plan until they have consulted such authority:

(4.) When the work is constructed it shall not be altered or extended without the approval of the Board of Trade:

(5.) If any constructors act in any respect in contravention of any of the foregoing provisions of this section in relation to any work, the Board of Trade may abate and remove the work and restore the site thereof to its former condition, and the amount of the expense incurred by the Board of Trade in so doing shall be a debt due to the Crown from such constructors, and shall be recoverable with costs accordingly, or may be recovered with costs as a penalty under this Act:

(6.) Where the land on which the work is to be constructed belongs to Her Majesty in right of her Crown, and is under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, the constructors shall, before commencing the construction of the work, give at least one month's notice in writing to such Commissioners, stating the nature and position of the proposed work, and shall not enter on, take, or use any of such land without the consent in writing of the said Commissioners, or one of them, on behalf of Her Majesty, which consent they or he may give.

Abatement of works abandoned or decayed.

16. If a work constructed on, in, over, through, or across tidal land or a tidal water, or the seashore below low-water mark, is abandoned or suffered to fall into decay, the Board of Trade may, at the expense of the Commissioners or persons liable to repair and maintain the work, abate and remove it or any part of it, and restore the site thereof to its former condition, and the amount of such expense shall be a debt due from such Commissioners or persons to the Crown, and be recoverable with costs accordingly, or may be recovered with costs as a penalty under this Act.

Survey of works by Board of Trade.

17. If at any time the Board of Trade deem it expedient for the purposes of this or any other Act to order a survey and examination of a work constructed or to be constructed by the Commissioners or any persons on, in, over, through, or across tidal land or a tidal water, or the seashore below low-water mark, or of the intended site of such work, the Commissioners or persons constructing or proposing to construct the work, or liable to repair and maintain it, shall defray the expenses of the said survey and examination, and the amount thereof shall be a debt due from such Commissioners or persons to the Crown, and be recoverable with costs accordingly, or may be recovered with costs as a penalty under this Act.

Removal of wreck.

18. If any vessel is sunk, stranded, or abandoned in any harbour or tidal water, or on the seashore, in such a way as to

tend to the injury of navigation, such vessel, together with the tackle thereof and the goods (if any) therein, (all of which are in this section included under the term the wreck,) may be removed in the following manner:

(1.) The Commissioners shall give notice in writing to the owner of such vessel or to an agent of such owner that he is required within a time specified in such notice either to remove the wreck in a manner satisfactory to the Commissioners or to undertake, under security satisfactory to the Commissioners, to remove the wreck in a manner satisfactory to and within a time to be fixed by the Commissioners.

(2.) In either of the following cases, (that is to say,)

(*a.*) If neither the owner nor the agent of the owner is known to or can be discovered by the Commissioners; or

(*b.*) If neither the owner nor the agent of the owner is resident within the United Kingdom or the Isle of Man,

the Commissioners shall send a notice in writing to the secretary of Lloyds in London that the owner is required within a time specified in the notice to remove the wreck, or to undertake under such security as aforesaid to remove the same, and such notice shall be placed by the said secretary in some conspicuous situation for the inspection of persons desirous to examine the same, and shall be deemed for all purposes a notice to the owner:

(3.) In case the owner fails within the time specified in the notice to remove the whole of the wreck in a way satisfactory to the Commissioners, or to enter into such undertaking as aforesaid to remove the same, or having undertaken to remove the wreck fails to remove it in accordance with his undertaking, then the Commissioners may remove the wreck, and may recover from the owner the expenses incurred in removing it (in this section referred to as the expenses of removal) in like manner as a penalty under this Act:

(4.) The Commissioners may for the purpose of removal destroy the wreck or any part of it, and may remove and take possession of the wreck or any part of it, and may sell the same, and may out of the proceeds (if any) of such sale, without any reference to the part of the wreck from the sale of which such proceeds may accrue, reimburse themselves for the whole of the expenses of removal, and shall, after reimbursing themselves, render the surplus, if any, to the owner:

(5.) If the proceeds of such sale are insufficient to pay the whole expenses of removal, the Commissioners may recover as a penalty the balance from the owner of the vessel, if such vessel was stranded or sunk by his fault or negligence, or from any other person by whose fault or negligence the vessel was stranded or sunk:

(6.) If the Commissioners fail within fourteen days notice in writing from the general lighthouse authority to remove or to take steps to cause the owner of the vessel to remove the wreck, then the general lighthouse authority shall have and exercise the power and authority as to the removal of wreck hereinbefore in this section given to the Commissioners, and shall with respect thereto be substituted for the Commissioners:

(7.) The expenses of removal incurred by the general lighthouse authority in pursuance of this section upon any default of the Commissioners shall in the first instance be payable out of the Mercantile Marine Fund, and shall be recoverable from the Commissioners with costs:

Provided always, that the provisions in this section contained shall be in addition to and not in derogation of the provisions as to the removal of wreck, unserviceable vessels, and obstructions contained in the Harbours, Docks, and Piers Clauses Act, 1847, incorporated herewith.

Saving of powers independent of this Act.

19. Nothing in the sections of this Act which are arranged under the heading Conservancy shall be deemed—

1. To affect any other enactments relating to wreck or shipwrecked property; or
2. To affect any jurisdiction, right, power, or remedy of the Crown or any other jurisdiction, right, power, or remedy existing independently of this Act;

and the provisions of the said sections shall be deemed to be in addition to, and not in substitution for or in restraint of, any other enactment, jurisdiction, right, power, or remedy.

Loans.

Commissioners may borrow money.

20. The Commissioners may from time to time, with the approval of the Treasury and the Court of Tynwald, borrow such sums of money as may be necessary for the purposes of this Act on the security of the sums payable and to be set aside annually for the purposes of the Harbour Commissioners and for effecting improvements under the fourth and fifth sections of the Isle of Man Customs, Harbours, and Public Purposes Act, 1866, and the Commissioners may mortgage or charge such sums or either of them accordingly: Provided

29 & 30 Vict. c. 23.

always, that nothing herein contained shall in anywise prejudice or affect any mortgage heretofore given by the old Commissioners under the authority of any other Act of Parliament.

For the purpose of such borrowing, the clauses of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, shall be incorporated with this Act, and in the construction of those clauses for the purpose of this Act, this Act shall be deemed to be the special Act, and the prescribed part of the sum borrowed which is to be set aside for the sinking fund shall be such part as the Treasury may direct.

The Public Works Loan Commissioners may lend any money required to be borrowed by the Commissioners under this section on the security of the said sums authorised by this section to be mortgaged, without requiring any further or other security, upon such terms, as to the time and mode of repayment and otherwise, as the Treasury may approve.

Application of loans.

21. All money received by the Commissioners as part of any loan obtained under this Act shall be applied by them in the manner and for the purposes authorised by the Treasury and Tynwald Court, and shall be accounted for in such manner as the Treasury and Governor may from time to time direct.

Finance.

Rents arising from bay fisheries, license duties, &c. to be carried to general revenue account.

22. All rents and other moneys arising in respect of Her Majesty's bay fisheries, and all moneys arising from licenses granted in pursuance of any byelaw made under this Act or of any enactment incorporated herewith, or from the sale, lease, or other disposition of any property vested in the Commissioners or the receiver-general as such, or from dues or rates or otherwise from time to time coming to their hands or the hands of the receiver-general by virtue of this Act, or otherwise (and not being money, dues, or rates received in respect of loans or under the Isle of Man Harbours Act, 1863), shall be paid by the Commissioners or receiver-general without any deduction to the Commissioners of Customs, and accounted for together with the revenue of customs of the Isle of Man as if the same were part thereof.

Expenses of Commissioners.

23. All expenses of the Commissioners incurred in the execution of this Act other than those defrayed by loans, and all sums which may at the commencement of this Act be payable out of the moneys applicable to the maintenance of the harbours, other than Port Erin, shall, so long as the same remain payable, be paid out of the sum of two thousand three hundred pounds made payable by section four of the Isle of Man Customs, Harbours, and Public Purposes Act, 1866, and out of such moneys as the Court of Tynwald, with the appro-

bation of the Treasury, may from time to time appropriate for the purpose out of the general revenue of the Isle of Man, and the Commissioners shall from time to time, at such time and in such manner as the Governor may direct, prepare and furnish estimates of their proposed expenditure for the purposes of this Act.

Application of moneys in hand of old Commissioners and receiver-general.

24. All moneys in the hands of or standing to the credit of the old Commissioners or the receiver-general, or under their or his control as such, shall be forthwith paid by them and him respectively to the Commissioners under this Act. All payments which the old Commissioners or receiver-general were respectively liable to make out of such moneys shall be paid by the Commissioners under this Act.

Accounts and audit.

25. Proper accounts shall be kept of all the receipts and expenditure of the Commissioners in pursuance of this Act by such persons and in such manner as the Treasury may from time to time direct, and such accounts shall be made up and audited at such times and by such persons and in such manner as the Treasury may from time to time direct, and copies of such accounts when audited shall be sent to the Governor, and laid by him before the Court of Tynwald.

Penalties and Legal Proceedings.

Summary proceedings for the recovery of penalties.

26. All proceedings authorised by this Act or any enactments incorporated herewith to be taken before any justice or justices or in a summary manner, or on a summary complaint, and all proceedings for the recovery of a penalty imposed by any byelaw made in pursuance of this Act or any enactment incorporated herewith, or for the recovery of costs and expenses authorised by this Act to be recovered as a penalty, may be taken by way of summary proceedings before a deemster or in the Admiralty Court of the Isle of Man, or before a high bailiff or two justices, according to the law relating to such summary proceedings in the Isle of Man.

Appeal.

27. Any person aggrieved by the judgment or order to be made in any proceedings in pursuance of this Act or any enactment incorporated herewith may appeal to the Staff of Government of the Isle of Man in the usual manner.

Limitation of suits for penalties.

28. No person shall be liable to the payment of any penalty or forfeiture imposed by virtue of this Act or of any enactment incorporated herewith, unless the complaint respecting the same has been made within six months after the commission of the offence.

Harbour officers to have

29. Every harbour officer while acting as such shall be deemed to be a constable, and to have such powers, protection,

powers of constables.

and privileges for the purposes of the execution of his duty as a harbour officer as any constable has by law within the Isle of Man.

Miscellaneous.

Exemption of lender from inquiry into regularity of proceedings, &c.

30. Any person lending money to the Commissioners shall not be bound to see or inquire whether such loan is required for the purposes of this Act, or is raised in accordance with the provisions of this Act, and shall not be prejudiced by the same not being so, and shall not be bound to inquire whether the Commissioners are properly constituted or convened, or whether any meeting or the proceedings at any meetings of the Commissioners was or were legal or regular.

Report of Commissioners to Governor.

31. The Commissioners shall from time to time make such report of their proceedings to the Governor as he may require.

Rights of Crown.

32. No prosecution for the recovery or payment of a penalty under this Act shall prejudice or affect the right of Her Majesty, her heirs and successors, to recover damages for any injury committed to the property of Her Majesty, and no proceeding which may be taken under this Act and the enactments incorporated herewith as to the removal of vessels or articles shall prejudice any right with reference to any such vessels or articles to which Her Majesty, her heirs or successors, may be entitled.

Repeal of Acts.

33. The Acts described in the second schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned; but this repeal shall not affect the validity or invalidity of anything already done or suffered, or any right or title already acquired or accrued, or any offence committed, or penalty or forfeiture incurred before the commencement of this Act, or any remedy or proceeding in respect thereof.

SCHEDULES.

FIRST SCHEDULE.

PROCEEDINGS OF COMMISSIONERS.

1. The Commissioners shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning, notice, place, management, and adjournment of such meetings, and generally with respect to the transaction and management of business, including the quorum at meetings of the Commissioners, as they think fit; subject to the following conditions:—

(*a.*) The first meeting shall be held on such day as the Governor may fix:

(*b.*) One of the Commissioners nominated by the receiver-general and approved by the Governor shall be the deputy of the receiver-general :

(*c.*) The quorum to be fixed by the Commissioners shall consist of not less than three, of whom the receiver-general or his deputy shall be one :

(*d.*) All questions shall be decided by a majority of votes of the Commissioners present and voting on that question :

(*e.*) The names of the Commissioners present, as well as of those voting upon each question, shall be recorded.

2. The receiver-general shall be the chairman of the Commissioners, and if at any meeting he is not present at the time appointed for holding the same, his deputy shall be the chairman.

3. In case of an equality of votes at any meeting the chairman for the time being of such meeting shall have a second or casting vote.

4. All orders of the Commissioners shall be deemed to be duly executed if signed by two or more Commissioners, the receiver-general or his deputy being one, authorised to sign them by a resolution of the Commissioners ; but in any legal proceeding it shall be presumed, until the contrary is proved, that the members signing any such order were authorised to sign it.

5. The appointment of any officer of the Commissioners may be made by a minute of the Commissioners, signed by the chairman, and any appointment so made shall be as valid as if it were made under the seal of the Commissioners.

SECOND SCHEDULE.

Enactments Repealed.

Section or Chapter.	Title.	Extent of Repeal.
11 Geo. 3. c. 52 (1771).	An Act for repairing, amending, and supporting the several harbours and seaports in the Isle of Man.	The whole Act.
54 Geo. 3. c. 143 (1814).	An Act to repeal the duties granted by an Act passed in the eleventh year of His present Majesty, for repairing, amending, and supporting the several harbours and seaports in the Isle of Man, and for granting new duties in lieu thereof, and for giving further powers to the Commissioners appointed under the said Act.	The whole Act.

Section or Chapter.	Title.	Extent of Repeal.
3 & 4 Vict. c. 63 (1840).	An Act to extend the powers of the Commissioners appointed for the execution of two Acts for supporting the several harbours and seaports in the Isle of Man.	The whole Act.
23 & 24 Vict. c. 56 (1860).	An Act to make further provision for improvements in the harbours of the Isle of Man.	The whole Act.
26 & 27 Vict. c. 86 (1863).	The Isle of Man Harbours Act, 1863.	Sections eight and nine.
29 & 30 Vict. c. 23 (1866).	Isle of Man Customs, Harbours, and Public Purposes Act, 1866.	The part of section ten which follows the words "prescribed by any Act of Parliament."

CHAPTER 24.

An Act to facilitate the Incorporation of Trustees of Charities for Religious, Educational, Literary, Scientific, and Public Charitable Purposes, and the Enrolment of certain Charitable Trust Deeds.

[27th June 1872.]

WHEREAS it is expedient to facilitate the incorporation of the trustees of charities established for religious, educational, literary, scientific, or public charitable purposes, and to provide for the due protection and transmission of the property belonging to or vested in such charities, or trustees of such charities, and to diminish the expense of enrolment under an Act passed in the thirtieth year of the reign of Her present Majesty, intituled "An Act to make further provision "for the enrolment of certain deeds, assurances, and other "instruments relating to charitable trusts:"

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Upon application of

1. From and after the passing of this Act it shall be lawful for the trustees or trustee for the time being of any charity

for religious, educational, literary, scientific, or public charitable purposes, to apply, in manner herein-after mentioned, to the Charity Commissioners for England and Wales for a certificate of registration of the trustees of any such charity as a corporate body; and if the Commissioners, having regard to the extent, nature, and objects and other circumstances of the charity shall consider such incorporation expedient, they may grant such certificate accordingly, subject to such conditions or directions as they shall think fit to insert in their certificate relating to the qualifications and number of the trustees, their tenure or avoidance of office, and the mode of appointing new trustees, and the custody and use of the common seal; and the trustees of such charity shall thereupon become a body corporate by the name described in the certificate, and shall have perpetual succession and a common seal, of which the device shall be approved by the Commissioners, and power to sue and be sued in their corporate name, and to hold and acquire, notwithstanding the statutes of mortmain, and by instruments under their common seal to convey, assign, and demise, any present or future property, real or personal, belonging to, or held for the benefit of, such charity, in such and the like manner, and subject to such restrictions and provisions, as such trustees might, without such incorporation, hold or acquire, convey, assign, or demise the same for the purposes of such charity: Provided that nothing herein contained shall be taken or construed so as to extend, modify, or control any of the provisions of an Act passed in the ninth year of his Majesty King George the Second, chapter thirty-six, intituled "An Act to restrain the disposition of lands "whereby the same become unalienable," or to make valid any gift, grant, or purchase which would be invalid under the enactments contained in that Act.

trustees of any charity, Commissioners may grant certificate of registration as a corporate body.

2. The certificate of incorporation shall vest in such body corporate all real and personal estate, of what nature or tenure soever, belonging to or held by any person or persons in trust for such charity, and thereupon any person or persons in whose name or names any stocks, funds, or securities shall be standing in trust for the charity, shall transfer the same into the name of such body corporate, except as herein-after provided; and all covenants and conditions relating to any such real estate enforceable by or against the trustees thereof before their incorporation shall be enforceable to the same extent and by the same means by or against them after their incorporation: Provided always, that if such property shall be of copyhold or customary tenure, and liable to the payment of any fine or heriot on the death or alienation of the tenant or tenants thereof, it shall be lawful for the lord or lady of the manor of which such property shall be holden, on the granting of the said certificate, and at the expiration of every period of

Estate to vest in body corporate.

forty years thereafter so long as such property shall belong to such body corporate, to receive and take a sum corresponding to the fine and heriot, if any, which would have been payable by law upon the death or alienation of the tenant or tenants thereof, and to recover the same by any means which such lord or lady could have used in the event of the death or alienation of the tenant or tenants of such property, such payments to be in full of all fines and heriots payable in respect of the same property: Provided also, that such certificate shall not have the effect of summarily transferring or directing the transfer to the incorporated trustees any stocks, funds, or securities held by the official trustees of charitable funds for the benefit of the charity, but the same shall be transferable only by the official trustees to the incorporated trustees under the discretionary order of the Commissioners and by the ordinary means of transfer or assignment.

Particulars respecting application.

3. Every application to the Commissioners for a certificate under this Act shall be in writing, signed by the person or persons making the same, and shall contain the several particulars specified in the schedule hereto, or such of them as shall be applicable to the case. The said Commissioners may require such declaration or other evidence in verification of the statements and particulars in the application, and such other particulars, information, and evidence, if any, as they may think necessary or proper.

Nomination of trustees, and filling up vacancies.

4. Before a certificate of incorporation shall be granted, trustees of the charity shall have been effectually appointed to the satisfaction of the Commissioners, and where a certificate of incorporation shall have been granted vacancies in the number of the trustees of such charity shall from time to time be filled up so far as shall be required by the constitution or settlement of the charity, or by any such conditions or directions as aforesaid, by such legal means as would have been available for the appointment of new trustees of the charity if no certificate of incorporation had been granted, or otherwise as shall be required by such conditions or directions as aforesaid, and the appointment of every new trustee shall be certified by or by the direction of the trustees to the Commissioners, either upon the completion of such appointment or when the next return of the yearly income and expenditure of the charity shall or ought to be made to the Commissioners under the general law, with which the certificate of such appointment shall be sent, and within one month after the expiration of each period of five years after the grant of a certificate of incorporation, or whenever required by the Commissioners, a return shall be made to the said Commissioners by the then trustees of the names of the trustees at the expiration of each such period with their residences and additions.

Liability of trustees and others, notwithstanding incorporation.

5. After a certificate of incorporation has been granted under the provisions of this Act all trustees of the charity, notwithstanding their incorporation, shall be chargeable for such property as shall come into their hands, and shall be answerable and accountable for their own acts, receipts, neglects, and defaults, and for the due administration of the charity and its property, in the same manner and to the same extent as if no such incorporation had been effected, and nothing herein contained shall diminish or impair any control or authority exerciseable by the Commissioners over the trustees who shall be so incorporated, but they shall remain subject jointly and separately to such control and authority as if they were not incorporated.

Certificate to be evidence of compliance with requisitions.

6. A certificate of incorporation so granted shall be conclusive evidence that all the preliminary requisitions herein contained and required in respect of such incorporation have been complied with, and the date of incorporation mentioned in such certificate shall be deemed to be the date at which incorporation has taken place.

Commissioners to keep record of applications for certificates, &c. and charge fees for inspection.

7. The said Commissioners shall keep a record of all such applications for and certificates of incorporation, and shall preserve all documents sent to them under the provisions of this Act, and any person may inspect such documents, under the direction of the Commissioners, and any person may require a copy or extract of any such document to be certified under the hand of the secretary or chief clerk of the said Commissioners, and there shall be paid for such certified copy or extract a fee, to be fixed by the Commissioners, not exceeding fourpence for each folio of such copy or extract.

Enforcement of orders and directions of Commissioners.

8. All conditions and directions inserted in any certificate of incorporation shall be binding upon and performed or observed by the trustees as trusts of the charity, and shall also be enforceable by the same means or in the same manner as any orders made by the Commissioners under their ordinary jurisdiction may now be enforced.

Applications and certificates to be stamped.

9. Every application for a certificate of incorporation under this Act, and every such certificate, shall be charged with a stamp duty of ten shillings, and a stamp denoting the payment of that duty shall be impressed or fixed upon such application or certificate.

Gifts to charity before incorporation to have same effect afterwards.

10. After the incorporation of the trustees of any charity pursuant to this Act every donation, gift, and disposition of property, real or personal, theretofore lawfully made (but not having actually taken effect), or thereafter lawfully made by deed, will, or otherwise to or in favour of such charity, or the trustees thereof, or otherwise for the purposes thereof, shall take effect as if the same had been made to or in favour of the incorporated body or otherwise for the like purposes.

Contracts not under seal to be binding in certain cases.

11. Every contract made or entered into by the trustees of a charity, which would be valid and binding according to the constitution, settlement, or rules of the charity, if no such incorporation had taken place as aforesaid, shall be valid and binding although the same shall not have been made or entered into under the common seal of the trustees.

Payments on transfers in reliance on corporate seal protected.

12. Any company or person who shall make or permit to be made any transfer or payment bonâ fide, in reliance on any instruments to which the common seal of any body corporate created under this Act is affixed, shall be indemnified and protected in respect of such transfer or payment, notwithstanding any defect or circumstance affecting the execution of the instrument.

Enrolment where deeds have been lost or not duly enrolled.

13. And whereas by an Act passed in the thirtieth year of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act to make further provisions for the enrolment of "certain Deeds, Assurances, and other instruments relating "to Charitable Trusts," provision was made for the enrolment upon application by summons in a summary way to the Court of Chancery, and by order of the court made upon such application of certain deeds, assurances, and other instruments relating to charitable trusts, and it is expedient to extend such provision and to facilitate the enrolling of deeds, assurances, and instruments relating to charitable trusts where the original deeds creating such trusts have been lost, or when the same have not been enrolled in proper time: Be it enacted, from and after the passing of this Act, if the clerk of enrolments in Chancery for the time being shall be satisfied, by affidavit or otherwise, that the deed, assurance, or other instruments conveying or charging the hereditaments, estate, or interest for charitable uses was made really and bonâ fide for full and valuable consideration actually paid at or before the making or perfecting thereof, or reserved by way of rentcharge or other annual payment, or partly paid at or before the making or perfecting of such deed, assurance, or other instrument and partly reserved as aforesaid, without fraud or collusion, and that at the time of the application to the said clerk of enrolments possession or enjoyment is held under such deed, assurance, or other instrument, and that the omission to enrol the same in proper time has arisen from ignorance or inadvertence, or from the destruction thereof by time or accident, it shall be lawful for the said clerk of enrolments to enrol the deed, assurance, or instrument to which the application relates, or such a subsequent deed as in the said Act mentioned, as the case may be, and the same shall thereupon be enrolled accordingly, and such enrolment shall be as valid and effective for all purposes as if the same had been made under the authority of the said last-mentioned Act. Over and above the ordinary fee payable upon the enrolment of any deed,

assurance, or other instrument, there shall be paid upon the enrolment under this section of any deed, assurance, or other instrument, the further fee of ten shillings.

Definition of terms "public charitable purposes," "trustees."

14. The words "public charitable purposes" shall mean all such charitable purposes as come within the meaning, purview, or interpretation of the statute of the forty-third year of Queen Elizabeth, chapter four, or as to which, or the administration of the revenues or property applicable to which, the Court of Chancery has or may exercise jurisdiction; and the word "trustees" shall include the governors, managers, or other persons having the conduct or management of any charity.

Short title.

15. This Act may be cited for all purposes as "The Charitable Trustees Incorporation Act, 1872."

SCHEDULE.

The objects of the charity and the rules and regulations of the same, together with the date of and parties to every deed, will, or other instrument, if any, creating, constituting, or regulating the same.

A statement and short description of the property, real and personal, which at the date of the application is possessed by or belonging to or held on behalf of such charity.

The names, residences, and additions of the trustees of such charity.

The proposed title of the corporation, of which title the words "Trustees" or "Governors" and "Registered" shall form part.

The proposed device of the common seal, which shall in all cases bear the name of incorporation. The regulations for the custody and use of the common seal.

CHAPTER 25.

An Act to amend the Juries Act (Ireland), 1871.

[27th June 1872.]

WHEREAS no order has been issued under the fifty-second section of the Juries Act (Ireland), 1871, and it is expedient that provision should be made by statute for the time when the said Juries Act (Ireland), 1871, shall commence and take effect:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sections 10, 25, 52, and s. 16 in part, of the Juries Act

1. Sections "ten," "twenty-five," and "fifty-two," and that part of section sixteen commencing with the words "for the purposes of this Act and the due execution of the same," and

(Ireland), 1871, repealed.

ending with the words "which he may desire to use," of the Juries Act (Ireland), 1871, shall be and the same are hereby repealed.

Commencement of the Juries Act (Ireland), 1871.

2. The parts of the Juries Act (Ireland), 1871, relating to the issue of the precepts and the preparation of the general lists of jurors and the lists of special jurors, and the revision of the general lists of jurors and lists of special jurors, and the formation of general jurors books and special jurors books, and the delivery thereof to the sheriffs, and all other matters and things necessary to be done for the due performance and discharge of the aforesaid several duties, and for having the general jurors books and special jurors books in future prepared and delivered as directed by the said Acts, shall come into operation and take effect on the thirtieth day of June one thousand eight hundred and seventy-two, and the rest of said Act shall commence and take effect on the first day of Hilary Term one thousand eight hundred and seventy-three, and the jurors returned on or after the first day of the said Hilary Term shall be selected, summoned, and returned as in the said Act directed.

Issue of precept and return of lists for the county of the city of Dublin.

3. The clerk of the peace for the county of the city of Dublin shall, within one week after the first day of July in every year, issue and deliver his precept, in the Form I. set forth in the schedule to this Act annexed, to the collector-general of rates for the city of Dublin, requiring the said collector-general to prepare and return to the said clerk of the peace, on or before the first day of August next ensuing, a complete and true list for each ward in the county of the city of Dublin, of all men between the ages of twenty-one and sixty years, except those exempted or disqualified by the Juries Act (Ireland), 1871, residing in the county of the city of Dublin, rated either in their own names or as members of a firm or co-partnership in the then last rate made for the relief of the poor in respect of lands, tenements, or hereditaments situate in such ward, of the net annual value fixed for the said county of the city of Dublin, in the fourth schedule of the Juries Act (Ireland), 1871, and also to perform and comply with all other the requisitions in the said precept contained, and the said clerk of the peace shall annex to every such precept a printed copy of the second schedule of the said Juries Act (Ireland), 1871, and shall cause a sufficient number of forms to be printed, according to the form K. set forth in the schedule to this Act, and shall issue and deliver with the said precept a sufficient number of the said forms for the use of the said collector-general, and the said collector-general shall, within the time aforesaid, prepare, inscribe, sign, and deliver the several lists for the county of the city of Dublin in like manner in all respects as is by the said Juries Act (Ireland), 1871, provided with respect to the list for the other counties in Ireland, and

each such list, when prepared and delivered as aforesaid, shall be called "The General List of Jurors" for the ward in the county of the city of Dublin for which the same shall have been prepared.

In counties of cities or towns or boroughs, counting-house, office, &c. &c. to be stated as place of abode.

4. Whenever any person by reason of having or occupying a counting-house, office, shop, or place of business in any county of a city, county of a town or borough, having a separate court of sessions of the peace or a court of record for the trial of civil actions, is, pursuant to section five of the Juries Act (Ireland), 1871, deemed to be resident in such county of a city, county of a town or borough, such residence shall be deemed to be at the counting-house, office, shop, or place of business of such person, and such counting-house, office, shop, or place of business shall in the proper column of "The General List of Jurors" and "List of Special Jurors" containing such person's name be stated as the place of abode of such person, and a summons for the attendance of a juror left at the place stated in the general jurors book or special jurors book, as the place of abode of such juror, with any person inhabiting therein, shall be deemed to have been duly served upon such juror.

Revising lists in cases where person's name appears on more than one general list of jurors or list of special jurors.

5. Whenever the name of any person contained in one of the general lists of jurors for any county or borough shall also appear on any other of the general lists of jurors for such county or borough, the chairman or revising barrister in revising the general lists of jurors for such county or borough shall ascertain the total of the annual values of the rated property of such person, as the same are respectively stated in the several general lists on which such person's name shall appear, and shall thereupon cause the name of such person to be struck out of all the said general lists of jurors save one, and shall then amend the statement of the annual value and place of rated property of such person in the said general list of jurors in which such person's name is retained, by stating in the proper columns thereof respectively the total of said annual values so ascertained as aforesaid, and the several places of the rated property which goes to make up such total; and in case it shall appear by the total of said annual values ascertained as aforesaid that such person has the property qualification of a special juror fixed for such county in the fifth schedule of the "Juries Act (Ireland), 1871," the said chairman or revising barrister, if such person's name be not already contained in the list of special jurors prepared from the general list of jurors in which such person's name is retained, shall cause such person's name to be inserted in its proper place in such list of special jurors, and the annual value and place of property of such person to be therein stated, as the same are respectively stated in the said general list of jurors in which such person's name shall have been retained as aforesaid, and whenever the name

of any person contained in one of the lists of special jurors for any county shall also appear on any other of the lists of special jurors for such county, the chairman or revising barrister in revising the lists of special jurors for such county shall ascertain the total of the annual values of the rated property of such person as the same are respectively stated in the several lists of special jurors on which such person's name shall appear, and shall thereupon cause the name of such person to be struck out of all the said lists of special jurors save the list of special jurors prepared from the general list of jurors in which the name of such person has been retained, in pursuance of the provisions herein-before contained, and shall then amend the statement of the annual value and place of rated property in the said list of special jurors in which such person's name is retained, by stating in the proper columns thereof respectively the total of said annual values so ascertained as aforesaid, and the several places of the rated property which make up such total.

As to jurors property qualification.

6. In ascertaining the net annual value of the property qualification of a juror, mentioned in the fourth and fifth schedules to the "Juries Act (Ireland), 1871," the annual value of any house or tenement the owner whereof is under the sixty-third section of the Statute 12 and 13 Victoria, chapter 91, rated instead of the occupier thereof shall not be reckoned or taken into account.

Mode of preparing jurors book, and summoning jurors to assizes at Nenagh and Clonmel in county of Tipperary.

7. There shall be but one general jurors book and one special jurors book prepared according to the provisions of the "Juries Act (Ireland), 1871," for the county of Tipperary, and the sheriff or other officer of the said county in selecting the jurors to be returned in obedience to any precept for the return of jurors to serve at the assizes to be held at Nenagh or Clonmel shall select the said jurors in the manner directed by section nineteen of the Juries Act (Ireland), 1871; provided, however, that the persons to be selected to serve as jurors at the assizes held at Clonmel shall be resident in the south riding of the said county, and the persons to be selected to serve as jurors at the assizes held at Nenagh shall be resident in the north riding of the said county. And whenever any of Her Majesty's superior courts in Ireland, or any judge of any of the superior courts, shall order a special jury to be struck before the proper officer of such court, no juror residing in the north riding of such county shall be selected or put on any special jury for any issue to be tried in the south riding thereof, and no juror residing in the south riding of the said county shall be selected or put on any special jury for any issue to be tried in the north riding thereof, but the officer striking any such special jury shall, in the place of any such juror who may be drawn and passed over for non-residence in riding, proceed to draw or strike another juror in his place.

8. The provisions in reference to the transmission by post of jury summonses in the county of the city of Dublin which are contained and expressed in the twenty-second section of "The Juries Act (Ireland), 1871," shall be and are hereby extended to the summoning of jurors by the sheriff of the county of Dublin. Jury summonses transmitted by post in county of Dublin.

9. This Act and the Juries Act (Ireland), 1871, shall be construed together as one Act. Construction of Act.

SCHEDULE.

FORM I.

PRECEPT FOR THE RETURN OF LISTS OF JURORS.

County of the City of Dublin.

To the Collector-General of Rates for the City of Dublin.

You are hereby required on or before the 1st day of August in this present year to prepare a complete and true list in writing, according to the form sent herewith, for each ward in the said county of the city of Dublin, of the names of all men rated for the relief of the poor within the said county of the city of Dublin who are qualified and liable to serve as jurors for the said county of the city of Dublin, that is to say, a complete and true list for each ward in the said county of the city of Dublin, containing the name of every man between the ages of twenty-one and sixty years who resides within the said county of the city of Dublin, or who has or occupies any counting-house, office, shop, or place of business within the said county of the city of Dublin, although such man may not reside therein, provided that he resides within twelve statute miles therefrom, who is either in his own name or as a member of a firm or co-partnership rated in the last rate made for the relief of the poor in the said county of the city of Dublin in respect of any lands, tenements, or hereditaments situate in such ward of the county of the city of Dublin of the net annual value of 20*l.* or upwards; and you are required to prepare the said list in alphabetical order of surnames, and consecutively numbered, and write the Christian name and surname of every man at full length, with his true or last known place of abode, and the place of his rated property, his title, quality, calling, or business, and the annual value of his rated property in the proper columns of the forms sent herewith, and if you have not a sufficient number of forms you must apply to me for more; and in ascertaining the said net annual value you shall not reckon or take into account the annual value of any house or tenement set to weekly or monthly tenants or in separate apartments, the owner whereof is under the Statute 12 and 13 Victoria, chapter 91, section 63, rated instead of the occupier thereof; and in preparing the said list you are to omit the names of all men who are described in the second schedule of the Juries Act (Ireland), 1871 (a copy of which schedule is annexed to this precept), and of all aliens and persons attainted or convicted of any treason or felony, or convicted of any crime that is infamous, unless having obtained a free pardon, or who are under outlawry by virtue of any criminal

process; and you are required, on or before the 1st day of August, in the present year, to deliver the said list, with a declaration at the foot or end of the said list, signed by the collector or collectors by whose assistance you may have prepared the said list, that the true or last known place of abode, and the title, quality, calling, or business, of each of the persons named in the said list are, so far as relates to each of his or their respective districts of collection, fully and truly stated therein, and with a further declaration at the foot or end of said list, signed by you, that the said list has been fully and correctly prepared by you from the ratebooks of your office in pursuance of the provisions of the Juries Act (Ireland), 1871, to the clerk of the peace of the said county of the city of Dublin; and you are hereby required, within twenty-one days after the delivery of the said list to the said clerk of the peace, to cause a sufficient number of copies of the said list to be printed, published, and posted within the ward for which the said list shall have been prepared; and you are further required to attend the revising barristers of the city of Dublin, and produce the said rate-books at any of the courts to be held for the revision of the said several lists prepared by you, of the time and place of holding which you shall be previously informed, and there to answer on oath such questions as shall be put to you by the revising barrister then present touching any of the said lists; and those several matters you are in nowise to omit upon the peril that may ensue.

Given under my hand at in the said county of the city of Dublin, this day of in the year .

Clerk of the peace for the said county of the city of Dublin.

FORM K.

COUNTY OF THE CITY OF DUBLIN.

"GENERAL LIST OF JURORS" for the ward in the said county of the city of Dublin, prepared this day of 18 by the Collector-General of Rates for the city of Dublin.

Consecutive Numbers.	Surnames in Alphabetical Order.	Christian Names.	Places of Abode.	Title, Quality, Calling, or Business.	Annual Value of Rated Property.	Place of Property.

We, the undersigned collectors, hereby declare that the true or last known place of abode, and the title, quality, calling, or business of each of the persons named in the above list are, so far as relates to

each of our respective districts of collection, fully and truly stated therein.

Dated this day of in the year .

} Collectors.

I, the undersigned Collector-General of Rates, do hereby declare that the above "General List of Jurors" has been fully and correctly prepared by me from the rate-books, in pursuance of the provisions of the Juries Act (Ireland), 1871.

Dated this day of in the year .

Collector-General of Rates.

CHAPTER 26.

An Act to amend the practice of the Courts of Law with respect to the Review of the Decisions of Justices. [18th July 1872.]

WHEREAS ex parte proceedings are frequently taken in the Superior Courts of Common Law at Westminster to bring under review the decisions of justices of the peace acting both in and out of sessions, and there is no fund at the disposal of such justices to defray the expense of appearing by counsel to support their decisions:

And whereas it is expedient that such justices should, without expense to themselves, have an opportunity in such cases of informing the Court of the grounds of their decision, and of all material facts bearing upon the same:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Review of Justices Decisions Act, 1872."

Justice, when his decision is called in question in a Superior Court, may file affidavit showing grounds of his decision without payment of fee.

2. Whenever the decision of any justice or justices is called in question in any Superior Court of Common Law by a rule to show cause or other process issued upon an ex parte application, it shall be lawful for any such justice to make and file in such court an affidavit setting forth the grounds of the decision so brought under review, and any facts which he may consider to have a material bearing upon the question at issue, without being required to pay any fee in respect of filing such affidavit or any stamp duty thereupon, and such affidavit may be sworn before a Commissioner authorised to take oaths in Chancery, and may be forwarded by post to one of the Masters of the Court for the purpose of being so filed.

Court to take into consideration matters contained in affidavit notwithstanding non-appearance of counsel in support.

3. Whenever any such affidavit has been filed as aforesaid, the Court shall, before making the rule absolute against the justice or justices, or otherwise determining the matter so as to overrule or set aside the acts or decisions of the justice or justices to which the application relates, take into consideration the matters set forth in such affidavit, notwithstanding that no counsel appear on behalf of the said justices.

CHAPTER 27.

An Act to amend the Elementary Education Act, 1870. [18th July 1872.]

WHEREAS it is expedient to extend the powers and provisions of the Elementary Education Act, 1870, in regard to the borrowing of money, so as to enable the School Board for London to avail themselves of such powers and provisions for the purchase of lands required for the erection of offices for the Board with all suitable and necessary appurtenances:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

33 & 34 Vict. c. 75. s. 19. extended to offices.

1. The 19th section of the Elementary Education Act 1870, shall extend to any offices required by the School Board for London.

Sects. 57. and 58. extended to expense for offices.

2. The 57th and 58th sections of the said Act shall extend to any expense incurred by the School Board for London in providing or enlarging any such offices as aforesaid.

The term "offices."

3. The term "offices" shall include all necessary conveniences and appurtenances.

Short title.

4. This Act shall be read and construed as part of the Elementary Education Act, 1870, and in citing this Act in other Acts of Parliament and in legal instruments it shall be sufficient to use the expression "The Elementary Education Act Amendment Act, 1872."

CHAPTER 28.

An Act to amend the Practice and Procedure of the Crown Side of the Court of Queen's Bench in Ireland. [18th July 1872.]

WHEREAS it is expedient to amend the practice and procedure of the Crown side of the Court of Queen's Bench in Ireland by assimilating the same as far as practicable

to the practice and procedure of the Court of Queen's Bench in England:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Lord Chief Justice, &c. to make rules as to practice, &c. at Crown side of Queen's Bench, Ireland.

1. That it shall and may be lawful for the Lord Chief Justice and the judges of the Court of Queen's Bench in Ireland, or any three of them, to make such rules, orders, and regulations from time to time, for the care and custody of the records and other proceedings on the Crown side of the said Court, and the enrolment thereof, and the issuing, returning, and filing of writs and other proceedings, and all other matters and things relating to the practice and the general business to be transacted on the Crown side of the said Court, as to them shall seem fit and proper.

CHAPTER 29.

An Act to amend the Act of the Session of the Twenty-eighth and Twenty-ninth years of the reign of Her present Majesty, chapter one hundred and thirteen, intituled "An Act to authorize the Payment of "Retiring Pensions to Colonial Governors."

[18th July 1872.]

28 & 29 Vict. c. 113.

WHEREAS by the Colonial Governors Pensions Act, 1865, one of Her Majesty's Principal Secretaries of State is authorised to grant to persons who have administered the government of any colony or colonies for certain periods the full rate of pension or the reduced rate of pension as therein provided, and it is expedient to authorise in certain cases an increase of such reduced rate of pension, and otherwise to amend the said Act:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. The principal Act and this Act may be cited together as the Colonial Governors (Pensions) Acts, 1865 and 1872, and each of them may be cited as the Colonial Governors (Pensions) Act of the year in which it was passed.

Construction of Act.

2. This Act shall be construed as one with the Act of the session of the twenty-eighth and twenty-ninth years of the reign of Her present Majesty, chapter one hundred and thirteen, intituled "An Act to authorize the payment of "retiring pensions to colonial governors," in this Act referred to as the principal Act.

Power to grant an increase of reduced rate of pension.

3. Where one of Her Majesty's Principal Secretaries of State grants to any person the reduced rate of pension under section five of the principal Act, he may, if he think fit, grant to such person a pension,—

(1.) If such person has administered the government of any colony or colonies for periods amounting in the whole to not less than fifteen years, equal to the reduced rate of pension with the addition of such fraction of the full rate of pension defined by the principal Act, as is specified in part one of the schedule to this Act; and

(2.) If such person has administered the government of any colony or colonies for periods amounting in the whole to eight years, and has been employed either in such administration or in the permanent civil service of Her Majesty for periods amounting in the whole to not less than twenty-two years, equal to the reduced rate of pension, with the addition of such fraction of the full rate of pension defined by the principal Act as is specified in part two of the schedule to this Act.

SCHEDULE.

FRACTION of FULL RATE of PENSION as defined by section two of the principal Act, which may be granted as an increase of the reduced Rate of Pension.

PART I.

Where the pension is granted to a person who has administered the government of a colony or colonies for periods amounting in the whole to not less than fifteen years,

And at the time of his retirement is of the age of	If the said periods amount to		
	17 but not 18 years.	16 but not 17 years.	15 but not 16 years.
60 and under 61 years - -	9-40ths	6-40ths	3-40ths
61 „ 62 „ - -	9-40ths	6-40ths	2-40ths
62 „ 63 „ - -	9-40ths	5-40ths	2-40ths
63 „ 64 „ - -	9-40ths	5-40ths	2-40ths
64 „ 65 „ - -	9-40ths	4-40ths	1-40th
65 „ 66 „ - -	8-40ths	4-40ths	1-40th
66 „ 67 „ - -	8-40ths	4-40ths	1-40th
67 „ 68 „ - -	8-40ths	4-40ths	1-40th
68 „ 69 „ - -	8-40ths	4-40ths	Nil.
69 „ 70 „ - -	8-40ths	4-40ths	do.
70 „ 71 „ - -	8-40ths	3-40ths	do.
71 „ 72 „ - -	8-40ths	3-40ths	do.
72 „ 73 „ - -	8-40ths	3-40ths	do.
73 „ 74 „ - -	7-40ths	2-40ths	do.
74 and upwards - -	7-40ths	2-40ths	do.

PART II.

Where the pension is granted to a person who has administered the government of any colony or colonies for periods amounting in the whole to eight years, and has been employed either in such administration or in the permanent civil service of Her Majesty for periods amounting in the whole to not less than twenty-two years,

And at the time of his retirement is of the age of	If the said periods amount to		
	24 but not 25 years.	23 but not 24 years.	22 but not 23 years.
60 and under 61 years - -	9-40ths	6-40ths	3-40ths
61 „ 62 „ - -	9-40ths	6-40ths	2-40ths
62 „ 63 „ - -	9-40ths	5-40ths	2-40ths
63 „ 64 „ - -	9-40ths	5-40ths	2-40ths
64 „ 65 „ - -	9-40ths	4-40ths	1-40th
65 „ 66 „ - -	8-40ths	4-40ths	1-40th
66 „ 67 „ - -	8-40ths	4-40ths	1-40th
67 „ 68 „ - -	8-40ths	4-40ths	1-40th
68 „ 69 „ - -	8-40ths	4-40ths	Nil.
69 „ 70 „ - -	8-40ths	4-40ths	do.
70 „ 71 „ - -	8-40ths	3-40ths	do.
71 „ 72 „ - -	8-40ths	3-40ths	do.
72 „ 73 „ - -	8-40ths	3-40ths	do.
73 „ 74 „ - -	7-40ths	2-40ths	do.
74 and upwards - -	7-40ths	2-40ths	do.

CHAPTER 30.

An Act to suspend the compulsory Operation of the Chain Cables and Anchors Act, 1871.

[18th July 1872.]

WHEREAS it is expedient to suspend the compulsory operation of the Act of the session of the thirty-fourth and thirty-fifth years of Her present Majesty chapter one hundred and one, intituled "An Act to amend the law regulating "the proving and sale of chain cables and anchors:"

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The second section of the Chain Cable and Anchor Act, 1871, is hereby repealed and the said Act shall come into operation on the first day of January one thousand eight hundred and seventy-three, which day shall be deemed to be the commencement of the said Act: Chain Cable and Anchor Act, 1871, to commence on 1st Jan. 1873.

Provided that the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her Majesty, chapter twenty-seven, intituled "An Act for regulating the proving Chain Cable and Anchor Act, 1864, to continue in

force until 1st Jan. 1873.

" and sale of chain cables and anchors," shall continue in force until the said first day of January one thousand eight hundred and seventy-three:

Provided also, that if, before the said first day of January one thousand eight hundred and seventy-three, any chain cable is brought to a tester for the purpose of being proved, he may, with the consent of the person bringing the same, test it in the manner provided for by the fifth section of the said first-mentioned Act, and may grant to such person a certificate of such testing.

CHAPTER 31.

An Act to amend the several Acts relating to the Drainage and Improvement of Lands in Ireland.

[18th July 1872.]

5 & 6 Vict. c. 89.

WHEREAS by an Act passed in the fifth and sixth years of the reign of Her Majesty Queen Victoria, chapter eighty-nine, intituled "An Act to promote the drainage of " lands and improvement of navigation and water power in " connexion with such drainage in Ireland," and which Act was amended by a certain Act passed in the session held in the sixteenth and seventeenth years of Her Majesty Queen Victoria, chapter one hundred and thirty, it was amongst other things enacted that in case any land which shall be drained or improved by drainage under the provisions of the said Act shall, at the time of making the award therein mentioned, be in the occupation of a person who shall not be a proprietor thereof within the meaning of the provisions in that behalf therein-before contained, or, in case any lands so drained or improved shall be held under any person who shall within the meaning of the said provisions be a proprietor thereof by any other person or persons under any lease, agreement, or contract for a lease, or shall be held under any lease, agreement, or contract for a lease granted or made by any person or persons having any immediate or derivative title from or under such proprietor, then and in such case the Commissioners of Public Works in Ireland should determine the amount of increased rent or rents which such occupant or other person or persons having such immediate or derivative title from or under such proprietor as aforesaid should pay in consequence of any improvement of such land, regard being had to the particulars therein mentioned and referred to:

10 Vict. c. 32. s. 46.

And whereas by an Act passed in the session of Parliament held in the tenth year of Her said Majesty, chapter thirty-two, intituled "An Act to facilitate the improvement of " landed property in Ireland," and by a further Act passed in the session of Parliament held in the twenty-sixth and twenty-

seventh years of Her said Majesty, chapter eighty-eight, intituled "An Act to enable landed proprietors to construct "works for the drainage and improvement of lands in Ireland," similar powers and on the like terms have been given to the said Commissioners for the purpose of determining the increased rents to be paid by occupants and tenants of lands improved under the provisions of the two last-mentioned Acts: 26 & 27 Vict. c. 88. s. 56.

And whereas doubts exist whether the said provisions of the said Acts respectively extend to cases where lands drained and improved under the said Acts of Parliament respectively are held by or occupied by persons under or by virtue of any demise or contract of tenancy not being in writing:

And whereas it is expedient that such doubt should be removed:

Be it declared and enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Drainage and Improvement of Lands Amendment Act (Ireland), 1872." Short title.

2. All the provisions in the said several Acts contained respecting the increase of rents payable by persons holding or occupying lands drained and improved under the same respectively, and the powers of the Commissioners of Public Works in Ireland to determine the amount of such increased rents, shall be deemed to apply to cases in which any lands which shall be drained or improved under the provisions of the said several Acts respectively, or any of them, are held or occupied by any person or persons under any demise or contract of tenancy not being in writing. Provisions in recited Acts as to increased rents for lands drained to apply to contracts of tenancy not in writing.

3. This Act and the several herein-before in part recited Acts shall be respectively read together and construed as one Act. Construction of Acts.

CHAPTER 32.

An Act to explain and amend the Landlord and Tenant (Ireland) Act, 1870, so far as relates to the Purchase by Tenants of their Holdings. [18th July 1872.]

WHEREAS it is expedient to amend the Landlord and Tenant (Ireland) Act, 1870, in this Act called "the principal Act," so far as relates to the purchase by tenants of their holdings:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulations with respect to purchase of their holdings by tenants.

1. The following regulations shall be enacted with respect to purchases of their holdings by tenants:

(1.) Every application under the principal Act made by a tenant to the Board for an advance for the purchase of his holding may be made before or after such tenant has entered into any agreement for the purchase or has been declared the purchaser of the holding in respect of which such advance is required, and the Board may agree to advance to such tenant any sum not exceeding two third parts of the value of such holding as assessed by the Board:

(2.) Where any sale of his holding is made to a tenant in pursuance of the principal Act, by or through the medium of the Landed Estates Court, that court, and not the Civil Bill Court, shall have power to charge the annuity authorised to be charged by the principal Act, in favour of the Board, in respect of advances by the Board; and the forty-fourth and forty-seventh sections of the principal Act shall be amended accordingly by the substitution therein of the expression "Landed Estates Court" for the expression "Civil Bill Court:"

(3.) Notwithstanding the sale to a tenant by his landlord of his holding may not have been made in or through the medium of the Landed Estates Court, the Board may, if satisfied of the value of the security, agree to advance to such tenant for the purpose of purchasing his holding any sum not exceeding two third parts of the value of such holding, as assessed by the Board, and may take as security for the repayment of such advance a charge on such holding of an annuity of the same duration and amount as would have been charged thereon if the sale had been made in the Landed Estates Court; but no such advance shall be actually paid to the tenant until the Board are satisfied with the title of the tenant, and have taken from him a charge on the holding in such form and with such powers of sale and covenants for payment as the Board may be advised will effectually secure the annuity charged in their favour, and with the like powers for the recovery of such annuity as are contained in the principal Act in respect to the recovery of annuities under the said Act:

(4.) If while any holding is charged with the payment of an annuity to the Board under the principal Act and this Act, any part of such holding is let to agricultural labourers bonâ fide required for the cultivation of such holding, for cottages or gardens not exceeding half an acre in each case, such letting shall not be deemed to be nor shall the same be a cause of forfeiture.

2. In every case in which an advance shall be made after the passing of this Act for the purchase of a holding under the provisions of this or the principal Act, notwithstanding the provisions as to forfeiture in the said principal Act contained, the Board shall have power to sell the holding or any part thereof, and to convey the same to a purchaser, in the event of such holding, or any part thereof, having been alienated, assigned, subdivided, or sublet without the consent of the Board while any portion of the annuity remained unpaid; and the Board may sell the said holding, or any part thereof, by public auction, due notice being given by the Board of the time, place, terms, and conditions of such sale; and the Board shall apply the proceeds derived from such sale in the first instance to the payment of all moneys due on foot of such annuity, and in redemption of so much of the said annuity as shall at the time of such sale remain charged on said holding, and of all costs and expenses incurred by the said Board in relation to such sale, or otherwise in respect of such holding, and shall pay the balance to the person entitled by law to receive the same.

In certain cases where advances made for purchase of a holding, notwithstanding forfeiture, Board may proceed to a sale.

3. This Act shall be construed as one with the principal Act, and may be cited for all purposes as The Landlord and Tenant (Ireland) Act, 1872.

Short title and construction of Act.

CHAPTER 33.

An Act to amend the Law relating to Procedure at Parliamentary and Municipal Elections.

[18th July 1872.]

WHEREAS it is expedient to amend the law relating to procedure at parliamentary and municipal elections:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

PARLIAMENTARY ELECTIONS.

Procedure at Elections.

1. A candidate for election to serve in Parliament for a county or borough shall be nominated in writing. The writing shall be subscribed by two registered electors of such county or borough as proposer and seconder, and by eight other registered electors of the same county or borough as assenting to the nomination, and shall be delivered during the time

Nomination of candidates for parliamentary elections.

appointed for the election to the returning officer by the candidate himself, or his proposer or seconder.

If at the expiration of one hour after the time appointed for the election no more candidates stand nominated than there are vacancies to be filled up, the returning officer shall forthwith declare the candidates who may stand nominated to be elected, and return their names to the clerk of the Crown in Chancery; but if at the expiration of such hour more candidates stand nominated than there are vacancies to be filled up, the returning officer shall adjourn the election and shall take a poll in manner in this Act mentioned.

A candidate may, during the time appointed for the election, but not afterwards, withdraw from his candidature by giving a notice to that effect, signed by him, to the returning officer: Provided, that the proposer of a candidate nominated in his absence out of the United Kingdom may withdraw such candidate by a written notice signed by him and delivered to the returning officer, together with a written declaration of such absence of the candidate.

If after the adjournment of an election by the returning officer for the purpose of taking a poll one of the candidates nominated shall die before the poll has commenced, the returning officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all the proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by the returning officer on the day on which proof was given to him of such death; provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

Poll at elections.

2. In the case of a poll at an election the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the presiding officer") after having shown to him the official mark at the back.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by

which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given, and return their names to the Clerk of the Crown in Chancery. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Where an equality of votes is found to exist between any candidates at an election for a county or borough, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if a registered elector of such county or borough, may give such additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer.

Offences at Elections.

Offences in respect of nomination papers, ballot papers, and ballot boxes.

3. Every person who,—

(1.) Forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the returning officer any nomination paper, knowing the same to be forged; or

(2.) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper; or

(3.) Without due authority supplies any ballot paper to any person; or

(4.) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

(5.) Fraudulently takes out of the polling station any ballot paper; or

(6.) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanor, and be liable, if he is a returning officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

Infringement of secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

Amendment of Law.

Division of counties and boroughs into polling districts.

5. The local authority (as herein-after defined) of every county shall by order, as soon as may be practicable after the passing of this Act, divide such county into polling districts and assign a polling place to each district, in such manner that, so far as is reasonably practicable, every elector resident in the county shall have a polling place within a distance not exceeding four miles from his residence, so, nevertheless, that a

polling district need not in any case be constituted containing less than one hundred registered electors.

The local authority (as herein-after defined) of every borough shall take into consideration the division of such borough into polling districts, and, if they think it desirable, by order, divide such borough into polling districts in such manner as they may think most convenient for taking the votes of the electors at a poll.

The local authority of every county and borough shall, on or before the first day of May one thousand eight hundred and seventy-three, send to one of Her Majesty's Principal Secretaries of State, to be laid by him before both Houses of Parliament, a copy of any order made by such authority in pursuance of this section, and a report, in such form as he may require, stating how far the provisions of this Act with respect to polling districts have been complied with in their county or borough; and if they make any order after the first day of May one thousand eight hundred and seventy-three, with respect to polling districts or polling places in their county or borough, they shall send a copy of such order to the said Secretary of State, to be laid by him before both Houses of Parliament.

The local authority of a county or borough in this section means the authority having power to divide such county or borough into polling districts under section thirty-four of the Representation of the People Act, 1867, and any enactments amending that section; and such authority shall exercise the powers thereby given to them for the purposes of this section; and the provisions of the said section as to the local authority of a borough constituted by the combination of two or more municipal boroughs shall apply to a borough constituted by the combination of a municipal borough and other places, whether municipal boroughs or not; and in the case of a borough of which a town council is not the local authority, and which is not wholly situate within one petty sessional division, the justices of the peace for the county in which such borough or the larger part thereof in area is situate, assembled at some court of general or quarter sessions, or at some adjournment thereof, shall be the local authority thereof, and shall for this purpose have jurisdiction over the whole of such borough; and in the case of such borough and of a county, a court of general sessions shall be assembled within twenty-one days after the passing of this Act, and any such court may be assembled and adjourned from time to time for the purpose.

No election shall be questioned by reason of any non-compliance with this section or any informality relative to polling districts or polling places, and any order made by a local authority in relation to polling districts or polling places shall

apply only to lists of voters made subsequently to its date, and to registers of voters formed out of such lists, and to elections held after the time at which a register of voters so formed has come into force: Provided that where any such order is made between the first day of July and the first day of November in any year, and does not create any new division between two or more polling districts of any parish for which a separate poor rate is or can be made, such order shall apply to the register of voters which comes into force next after such order is made, and to elections held after that register so comes into force; and the clerk of the peace or town clerk, as the case may be, shall copy, print, and arrange the lists of voters for the purpose of such register in accordance with such order.

Use of school and public room for poll.

6. The returning officer at a parliamentary election may use, free of charge, for the purpose of taking the poll at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll as aforesaid.

The use of any room in an unoccupied house for the purpose of taking the poll shall not render any person liable to be rated or to pay any rate for such house.

Conclusiveness of register of voters.

7. At any election for a county or borough, a person shall not be entitled to vote unless his name is on the register of voters for the time being in force for such county or borough, and every person whose name is on such register shall be entitled to demand and receive a ballot paper and to vote: Provided that nothing in this section shall entitle any person to vote who is prohibited from voting by any statute, or by the common law of Parliament, or relieve such person from any penalties to which he may be liable for voting.

Duties of Returning and Election Officers.

General powers and duties of returning officer.

8. Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of voters, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting an election in manner provided by this Act.

All expenses properly incurred by any returning officer in carrying into effect the provisions of this Act, in the case of

any parliamentary election shall be payable in the same manner as expenses incurred in the erection of polling booths at such election are by law payable.

Where the sheriff is returning officer for more than one county as defined for the purposes of parliamentary elections, he may, without prejudice to any other power, by writing under his hand, appoint a fit person to be his deputy for all or any of the purposes relating to an election in any such county, and may, by himself or such deputy, exercise any powers and do any things which the returning officer is authorised or required to exercise or do in relation to such election. Every such deputy, and also any under sheriff, shall, in so far as he acts as returning officer, be deemed to be included in the term returning officer in the provisions of this Act relating to parliamentary elections, and the enactments with which this part of this Act is to be construed as one.

Keeping of order in station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station, from having an opportunity of voting at such station.

Powers of presiding officer and administration of oaths, &c.

10. For the purpose of the adjournment of the poll, and of every other enactment relating to the poll, a presiding officer shall have the power by law belonging to a deputy returning officer; and any presiding officer and any clerk appointed by the returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of officers for misconduct.

11. Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

30 & 31 Vict. c. 102.

Section fifty of the Representation of the People Act, 1867, (which relates to the acting of any returning officer, or his partner or clerk, as agent for a candidate,) shall apply to any returning officer or officer appointed by him in pursuance of this Act, and to his partner or clerk.

Miscellaneous.

Prohibition of disclosure of vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with rules.

13. No election shall be declared invalid by reason of a non-compliance with the rules contained in the First Schedule to this Act, or any mistake in the use of the forms in the Second Schedule to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act, and that such non-compliance or mistake did not affect the result of the election.

Use of municipal ballot boxes, &c. for parliamentary election, and vice versâ.

14. Where a parliamentary borough and municipal borough occupy the whole or any part of the same area, any ballot boxes or fittings for polling stations and compartments provided for such parliamentary borough or such municipal borough may be used in any municipal or parliamentary election in such borough free of charge, and any damage other than reasonable wear and tear caused to the same shall be paid as part of the expenses of the election at which they are so used.

Construction of Act.

15. This part of this Act shall, so far as is consistent with the tenor thereof, be construed as one with the enactments for the time being in force relating to the representation of the people, and to the registration of persons entitled to vote at the election of members to serve in Parliament, and with any enactments otherwise relating to the subject matter of this part of this Act, and terms used in this part of this Act shall have the same meaning as in the said enactments; and in construing the said enactments relating to an election or to the poll or taking the votes by poll, the mode of election and of taking the poll established by this Act shall for the purposes of the said enactments be deemed to be substituted for the mode of election or poll, or taking the votes by poll, referred to in the said enactments; and any person applying for a ballot paper under this Act shall be deemed "to tender his vote," or "to assume to vote," within the meaning of the said enactments; and any application for a ballot paper under this Act, or expressions relative thereto, shall be equivalent to "voting" in the said enactments and any expressions relative thereto; and the term "polling booth" as used in the said enactments shall be deemed to include a polling station; and

the term "proclamation" as used in the said enactments shall be deemed to include a public notice given in pursuance of this Act.

Application of Part of Act to Scotland.

Alterations for application of Part I. to Scotland.

16. This part of this Act shall apply to Scotland, subject to the following provisions:—

(1.) The expression "crime and offence" shall be equivalent to the expression "misdemeanor," and shall be substituted therefor:

(2.) All offences under this Act for which any person may be punished on summary conviction shall be prosecuted before the sheriff under the provisions of "The Summary Procedure Act, 1864;" and all jurisdictions, powers, and authorities necessary for that purpose are hereby conferred on sheriffs:

(3.) The expression "sheriff" shall include sheriff substitute:

(4.) The provisions of this Act relating to the division of counties and boroughs into polling districts shall not apply to Scotland:

(5.) The ballot boxes, ballot papers, stamping instruments, and other requisites for a parliamentary election shall be provided and paid for in the same manner as polling rooms or booths under the fortieth section of the Act of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People "in Scotland;" and the reasonable remuneration of presiding officers, assistants, and clerks employed by the returning officer at such an election, and all other expenses properly incurred by the returning officer, and by sheriff clerks and town clerks, in carrying into effect the provisions of this Act, shall be paid by the candidates; provided always, that if any person shall be proposed as a candidate without his consent the person so proposing him shall be liable to defray his share of all those expenses in like manner as if he had been a candidate himself; provided also, that the fee to be paid to each presiding officer shall in no case exceed the sum of three guineas per day, and the fee to be paid to each assistant to the returning officer shall not exceed two guineas per day, and the fee to be paid to each clerk shall not exceed one guinea per day.

Application of Part of Act to Ireland.

Alterations for application of Part I. to Ireland.

17. This part of this Act shall apply to Ireland, subject to the following modifications:—

(1.) The expression "Clerk of the Crown in Chancery" shall mean the Clerk of the Crown and Hanaper in Ireland:

(2.) The preceding provisions of this part of this Act with respect to the division of counties and boroughs into polling districts shall not extend to Ireland:

(3.) In the construction of the preceding provisions of this part of this Act as applying to Ireland, section thirteen of "The Representation of the People (Ireland) "Act, 1868," shall be substituted for section fifty of "The Representation of the People Act, 1867," wherever in such provisions the said last-mentioned section occurs. The provision contained in the sixth section of this Act providing for the use of school rooms free of charge, for the purpose of taking the poll at elections, shall not apply to any school adjoining or adjacent to any church or other place of worship, nor to any school connected with a nunnery or other religious establishment:

(4.) No returning officer shall be entitled to claim, or be paid, any sum or sums of money for the erection of polling booths or stations and compartments other than the sum or sums actually and necessarily incurred and paid by him in reference to the same, any statute or statutes to the contrary now in force notwithstanding, nor shall the expenses of providing sufficient polling stations or booths and compartments at every polling place exceed the sum or sums now given and allowed by statute in Ireland.

Provisions as to polling districts and polling places in Ireland.

18. With respect to polling districts and polling places in Ireland, the following regulations shall have effect; that is to say,

(1.) The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, shall appoint special sessions to be held by the chairman of quarter sessions and justices of the peace having jurisdiction in each county or riding of a county in Ireland, at such places and times before the first day of November next after the passing of this Act as shall seem fit for the purpose of dividing such county or riding into polling districts and appointing polling places for such districts:

(2.) The clerk of the said Privy Council shall cause each such appointment to be notified to the clerk of the peace of the county to which the same relates, and shall cause notice of the same to be published twice in each of two consecutive weeks in one or more newspapers usually circulated in such county, and once in the Dublin Gazette:

(3.) The clerk of the peace of each county in Ireland shall, within five days after the receipt of such notification as aforesaid send a written or printed notice of the

same to the chairman and to every justice of the peace having jurisdiction within the county or riding to which the same relates:

(4.) The chairman of quarter sessions and the justices of the peace having jurisdiction in any county or riding assembled at such special sessions appointed in manner aforesaid, or at any adjournment of the same before the first day of December next after the passing of this Act, shall make an order dividing such county or riding of a county into polling districts, and appointing in each such polling district a place (in this section referred to as a "polling place") for taking the poll at contested elections of members to serve in Parliament for such county:

(5.) Every such division shall be made in such manner so that, as far as practicable, every building or place in such county in which petty sessions are at the time of the passing of this Act held shall be a polling place: Provided always, that where it appears to the chairman and justices assembled at special sessions, that for the purpose of affording full facilities for taking the poll at contested elections, there should be polling places in addition to such buildings or places where petty sessions are held as aforesaid, they shall appoint so many polling places in addition to such buildings or places as they may think necessary, and constitute a polling district for each such polling place:

(6.) Every such order shall specify the barony or baronies, half barony or half baronies, townland or townlands, parish or parishes, and places constituting each such polling district:

(7.) A copy of every such order shall forthwith be sent by the clerk of the peace for such county to the clerk of the said Privy Council, who thereupon shall submit the same for confirmation by the Lord Lieutenant and Privy Council in Ireland, in the manner by this Act provided, and such order shall not be of any validity until the same has been so confirmed:

(8.) Notice of the intended confirmation of any such order shall be given by the clerk of the said Privy Council at least one month before the day fixed for such confirmation by the publication of such notice and order in one or more newspapers circulating within such county or riding to which the order has reference:

(9.) It shall be lawful for the Lord Lieutenant and Privy Council, on the day fixed for the intended confirmation of any such order, to confirm the same as it

stands, or with such variation, alteration, or modification as may seem fit: Provided always, that where any person is dissatisfied with any such order it shall be lawful for such person, within fourteen days after the publication of the notice of the intended confirmation of such order, to appeal against the same, and such appeal shall be in writing, stating the grounds thereof, and shall be signed by such person, and shall within such time be lodged with the clerk of the Privy Council; and it shall be lawful for the Lord Lieutenant and Privy Council, previous to the confirmation of any such order, to hear and determine such appeal against the same, and to make such order as to the costs of such appeal as may seem meet:

(10.) When any such order has been confirmed as aforesaid, the clerk of the said Privy Council shall transmit a copy of the same to the clerk of the peace of the county to which the same relates, and shall cause the same to be published once in the Dublin Gazette, and once in the newspaper in which the notice of intended confirmation was published:

(11.) The provisions of the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, chapter twenty-two, for ascertaining the voters in the new or altered polling districts referred to in the ninth section of the said Act, and for making separate lists of voters, and otherwise in relation thereto, shall extend and apply to every case in which any order in relation to any county has been confirmed under the authority of this section, in like manner as if such sections were herein re-enacted, and the polling districts to which the same refer or apply had been polling districts constituted under the authority of this section; and the register of voters in force in such county at the time of confirming such order as amended by the printed books given into the custody of the sheriff of such county in manner by the said Act provided, and the said printed books, shall be the register of persons entitled to vote at any election of a member or members to serve in Parliament which shall take place in and for such county until the first day of January next after the giving of the said books as aforesaid: Provided always, that in the construction of the said provisions, the terms "the passing of this Act" and the "said Act" shall respectively be construed to mean the confirming of any order made under the authority of this section and this Act:

(12.) At any election of a member or members to serve in Parliament for any county to which any such order relates held after the confirming of any such order, and before the register of voters to be formed subsequently to the date of the confirming of such order under the provisions of this section shall be in force, the poll shall be taken as if no such order had been made:

(13.) All precepts, notices, and forms relating to the registration of voters shall be framed and expressed in such manner and form as may be necessary for the carrying the provisions of this Act into effect:

(14.) When the chairman of quarter sessions and justices of the peace having jurisdiction in any county or riding in Ireland, assembled at any general or quarter sessions in any division of such county or riding, are of opinion that for the purpose of affording further facilities for polling at contested elections there should be within such district polling places in addition to the places appointed in manner aforesaid, they may by resolution determine that at the next general or quarter sessions in such division of such county the necessity for such additional polling places shall be considered by the chairman and justices assembled at the same:

(15.) The clerk of the peace of such county shall, within five days after the making of such resolution, send a written or printed copy of the same to the chairman and to every justice of the peace having jurisdiction within the county to which the same relates, and shall cause a copy of such resolution to be published twice in each of two consecutive weeks in some newspaper circulated in such county:

(16.) The said chairman and justices assembled at such general or quarter sessions holden next after the making of such resolution shall consider whether additional polling places are necessary, and if they are of such opinion they may, by an order to be made in like manner and subject to the same provisions as to the making, confirming, and taking effect of the same as are in this section contained in relation to orders to be made at special sessions under the authority of the same, appoint such other places to be polling places as they shall think fit, and shall constitute polling districts for such polling places:

(17.) No election shall be questioned by reason of any polling district not having been constituted in conformity with the provisions of this Act, or by reason of any informality relative to any polling district:

(18.) When any day fixed for taking the poll at any election is the day fixed for the holding of the petty sessions court at any polling place, the court shall stand ipso facto adjourned till the next day, which shall in that case be the legal day for holding said court, and if that day be a Sunday or legal holiday, till the next day:

(19.) The term "the Lord Lieutenant" in this section shall mean the Lord Lieutenant of Ireland and the lords justices or other chief governors or governor of Ireland for the time being, and the term "chairman of quarter sessions" in this section shall include any person duly appointed to do the duty of such chairman during his sickness or absence.

Amendment of law as to voting in wards in certain boroughs.

19. Where the name of any person is required to be inserted in any list of voters for any ward of any city, town, or borough, under the provisions of section seven of the Act passed in the session of Parliament held in the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-eight, as qualified in respect of any property qualification, or as the occupier of any lands, tenements, or hereditaments situate in whole or in part beyond the limits of such ward, then and in every such case the names so required to be inserted shall be placed in alphabetical order in a separate part of such list to be styled "the list of rural or out voters of such ward," and the property, lands, tenements, and hereditaments in respect of which such person is qualified as aforesaid shall for the purposes of the said Act and the Acts amending the same, in relation to the providing of booths and compartments within each ward of any city, town, or borough, and the voting therein of persons entitled to vote in respect of any such qualifications aforesaid, be deemed to constitute a separate ward: Provided always, that the name of any such person shall not be placed in such separate list if such person shall, in writing under his hand, object thereto, and if such objection is delivered to such clerk of the peace on or before the twenty-fifth day of August next preceding the making of such list under the provisions aforesaid, and in such case in relation to such person the provisions of this section shall not apply.

PART II.

MUNICIPAL ELECTIONS.

Application to municipal election of enactments relating to the poll at parlia-

20. The poll at every contested municipal election shall, so far as circumstances admit, be conducted in the manner in which the poll is by this Act directed to be conducted at a contested parliamentary election, and, subject to the modifications expressed in the schedules annexed hereto, such

provisions of this Act and of the said schedules as relate to or are concerned with a poll at a parliamentary election shall apply to a poll at a contested municipal election: Provided as follows: mentary elections.

(1.) The term "returning officer" shall mean the mayor or other officer who, under the law relating to municipal elections, presides at such elections:

(2.) The term "petition questioning the election or return" shall mean any proceeding in which a municipal election can be questioned:

(3.) The mayor shall provide everything which in the case of a parliamentary election is required to be provided by the returning officer for the purpose of a poll:

(4.) All expenses shall be defrayed in manner provided by law with respect to the expenses of a municipal election:

(5.) No return shall be made to the Clerk of the Crown in Chancery:

(6.) Nothing in this Act shall be deemed to authorise the appointment of any agents of a candidate in a municipal election, but if in the case of a municipal election any agent of a candidate is appointed, and a notice in writing of such appointment is given to the returning officer, the provisions of this Act with respect to agents of candidates shall, so far as respects such agent, apply in the case of that election:

(7.) The provisions of this Act with respect to—

(*a.*) The voting of a returning officer; and

(*b.*) The use of a room for taking a poll; and

(*c.*) The right to vote of persons whose names are on the register of voters;

shall not apply in the case of a municipal election.

A municipal election shall, except in so far as relates to the taking of the poll in the event of its being contested, be conducted in the manner in which it would have been conducted if this Act had not passed.

21. Assessors shall not be elected in any ward of any municipal borough, and a municipal election need not be held before the assessors or their deputies, but may be held before the mayor, aldermen, or other returning officer only. Abolition of ward assessors.

Application of Part of Act to Scotland.

22. This part of this Act shall apply to Scotland, subject to the following provisions: Alterations for application of Part II. to Scotland.

(1.) The term "mayor" shall mean the provost or other chief magistrate of a municipal borough, as defined by this Act:

(2.) All municipal elections shall be conducted in the same manner in all respects in which elections of councillors in the royal burghs contained in Schedule C, to the Act of the session of the third and fourth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to alter and "amend the laws for the election of the Magistrates "and Councillors of the Royal Burghs in Scotland," are directed to be conducted by the Acts in force at the time of the passing of this Act as amended by this Act; and all such Acts shall apply to such elections accordingly.

Application of Part of Act to Ireland.

Alterations for application of Part II. to Ireland.

23. This part of this Act shall apply to Ireland, with the following modifications:—

(1.) The term "mayor" shall include the chairman of commissioners, chairman of municipal commissioners, chairman of town commissioners, and chairman of township commissioners:

22 Vict. c. 35.

(2.) The provisions of "The Municipal Corporation Act, 1859," following; that is to say, section five and section six, and section seven except so much thereof as relates to the form of nomination papers, and section eight except so much thereof as relates to assessors, shall extend and apply to every municipal borough in Ireland, and shall be substituted for any provisions in force in relation to the nomination at municipal elections: Provided always, that the term "councillor" in these sections shall for the purposes of this section include alderman, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

PART III.

PERSONATION.

Definition and punishment of personation.

24. The following enactments shall be made with respect to personation at parliamentary and municipal elections:

A person shall for all purposes of the laws relating to parliamentary and municipal elections be deemed to be guilty of the offence of personation who at an election for a county or borough, or at a municipal election, applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who having voted once at any such election applies at the same election for a ballot paper in his own name.

The offence of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, shall be a felony, and any person convicted thereof shall be punished by imprisonment for a term not exceeding two years together with hard labour. It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

The provisions of the Registration Acts, specified in the Third Schedule to this Act, shall in England and Ireland respectively apply to personation under this Act in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Acts.

The offence of personation shall be deemed to be a corrupt practice within the meaning of the Parliamentary Elections Act, 1868.

If, on the trial of any election petition questioning the election or return for any county or borough, any candidate is found by the report of the judge by himself or his agents to have been guilty of personation, or by himself or his agents to have aided, abetted, counselled, or procured the commission at such election of the offence of personation by any person, such candidate shall be incapable of being elected or sitting in Parliament for such county or borough during the Parliament then in existence.

Vote to be struck off for bribery, treating, or undue influence.

25. Where a candidate, on the trial of an election petition claiming the seat for any person, is proved to have been guilty by himself or by any person on his behalf, of bribery, treating, or undue influence in respect of any person who voted at such election, or where any person retained or employed for reward by or on behalf of such candidate for all or any of the purposes of such election, as agent, clerk, messenger, or in any other employment, is proved on such trial to have voted at such election, there shall, on a scrutiny, be struck off from the number of votes appearing to have been given to such candidate one vote for every person who voted at such election and is proved to have been so bribed, treated, or unduly influenced, or so retained or employed for reward as aforesaid.

Alterations in Act as applying to Scotland.

26. This part of this Act shall apply to Scotland, subject to the following provision:—

The offence of personation shall be deemed to be a crime and offence, and the rules of the law of Scotland, with respect to apprehension, detention, precognition, commitment, and bail shall apply thereto, and any person accused thereof may be brought to trial in the court of justiciary, whether in Edinburgh or on circuit, at the instance of the Lord Advocate, or before the sheriff court, at the instance of the procurator fiscal.

Construction of part of Act.

27. This part of this Act, so far as regards parliamentary elections, shall be construed as one with "The Parliamentary Elections Act, 1868," and shall apply to an election for a university or combination of universities.

PART IV.

MISCELLANEOUS.

Effect of schedules.

28. The schedules to this Act, and the notes thereto, and directions therein, shall be construed and have effect as part of this Act.

Definitions.

29. In this Act—

"Municipal borough:"

The expression "municipal borough" means any place for the time being subject to the Municipal Corporation Acts, or any of them:

"Municipal Corporation Acts:"

The expression "Municipal Corporation Acts" means—

(*a.*) As regards England, the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to "provide for the regulation of municipal corpora- "tions in England and Wales," and the Acts amending the same:

(*b.*) As regards Scotland, the Act of the session of the third and fourth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to "alter and amend the laws for the election of Magis- "trates and Councillors of the Royal Burghs in "Scotland," and the Act of the same session, chapter seventy-seven, intituled "An Act to provide for the "appointment and election of Magistrates and Coun- "cillors for the several Burghs and Towns of Scot- "land which now return or contribute to return "Members to Parliament, and are not Royal Burghs," and the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to make "more effectual provision for regulating the Police

" of Towns and populous Places in Scotland, and for " paving, draining, cleansing, lighting, and improving " the same;" and "The General Police and Improve- " ment (Scotland) Act, 1862," and any Acts amend- " ing the same:

(*c.*) As regards Ireland, the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, intituled "An Act " for the Regulation of Municipal Corporations in " Ireland," the Act of the ninth year of George the Fourth, chapter eighty-two, The Towns Improvement (Ireland) Act, 1854, and every local and personal Act providing for the election of commissioners in any towns or places for purposes similar to the purposes of the said Acts.

"Municipal election."

The expression "municipal election" means—

(*a.*) As regards England, an election of any person to serve the office of councillor, auditor, or assessor of any municipal borough, or of councillor for a ward of a municipal borough; and

(*b.*) As regards Scotland, an election of any person to serve the office of councillor or commissioner of any municipal borough, or of a ward or district of any municipal borough:

(*c.*) As regards Ireland, an election of any person to serve the office of alderman, councillor, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

Application of Act.

30. This Act shall apply to any parliamentary or municipal election which may be held after the passing thereof.

Saving.

31. Nothing in this Act, except Part III. thereof, shall apply to any election for a university or combination of universities.

Repeal.

Repeal of Acts in schedules.

32. The Acts specified in the fourth, fifth, and sixth schedules to this Act, to the extent specified in the third column of those schedules, and all other enactments inconsistent with this Act, are hereby repealed.

Provided that this repeal shall not affect—

(*a.*) Anything duly done or suffered under any enactment hereby repealed; or

(*b.*) Any right or liability acquired, accrued, or incurred under any enactment hereby repealed; or

(*c.*) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or

(*d.*) Any investigation, legal proceeding, or remedy in respect of any such right, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

Short title.

33. This Act may be cited as The Ballot Act, 1872, and shall continue in force till the thirty-first day of December one thousand eight hundred and eighty, and no longer, unless Parliament shall otherwise determine; and on the said day the Acts in the fourth, fifth, and sixth schedules shall be thereupon revived; provided that such revival shall not affect any act done, any rights acquired, any liability or penalty incurred, or any proceeding pending under this Act, but such proceeding shall be carried on as if this Act had continued in force.

SCHEDULES.

FIRST SCHEDULE.

PART I.

RULES FOR PARLIAMENTARY ELECTIONS.

Election.

1. The returning officer shall, in the case of a county election, within two days after the day on which he receives the writ, and in the case of a borough election, on the day on which he receives the writ or the following day, give public notice, between the hours of nine in the morning and four in the afternoon, of the day on which and the place at which he will proceed to an election, and of the time appointed for the election, and of the day on which the poll will be taken in case the election is contested, and of the time and place at which forms of nomination papers may be obtained, and in the case of a county election shall send one of such notices by post, under cover, to the postmaster of the principal post office of each polling place in the county, endorsed with the words "Notice of election," and the same shall be forwarded free of charge; and the postmaster receiving the same shall forthwith publish the same in the manner in which post office notices are usually published.

2. The day of election shall be fixed by the returning officer as follows; that is to say, in the case of an election for a county or a district borough not later than the ninth day after the day on which he receives the writ, with an interval of not less than three clear days between the day on which he gives the notice and the day of election; and in the case of an election for any borough other than a district borough not later than the fourth day after the day on which he receives the writ, with an interval of not less than two clear days between the day on which he gives the notice and the day of election.

3. The place of election shall be a convenient room situate in the town in which such election would have been held if this Act had not passed, or where the election would not have been held in a town, then situate in such town in the county as the returning officer may from time to time determine as being in his opinion most convenient for the electors.

4. The time appointed for the election shall be such two hours between the hours of ten in the forenoon and three in the afternoon as may be appointed by the returning officer, and the returning officer shall attend during those two hours and for one hour after.

5. Each candidate shall be nominated by a separate nomination paper, but the same electors or any of them may subscribe as many nomination papers as there are vacancies to be filled, but no more.

6. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate; the description shall include his names, his abode, and his rank, profession, or calling, and his surname shall come first in the list of his names. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient, or not being in compliance with this rule, shall be allowed or deemed valid, unless such objection is made by the returning officer, or by some other person, at or immediately after the time of the delivery of the nomination paper.

7. The returning officer shall supply a form of nomination paper to any registered elector requiring the same during such two hours as the returning officer may fix, between the hours of ten in the morning and two in the afternoon on each day intervening between the day on which notice of the election was given and the day of election, and during the time appointed for the election; but nothing in this Act shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be in the form prescribed by this Act.

8. The nomination papers shall be delivered to the returning officer at the place of election during the time appointed for the election; and the candidate nominated by each nomination paper, and his proposer and seconder, and one other person selected by the candidate, and no person other than aforesaid, shall, except for the purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election.

9. If the election is contested the returning officer shall, as soon as practicable after adjourning the election, give public notice of the day on which the poll will be taken, and of the candidates described as in their respective nomination papers, and of the names of the persons who subscribe the nomination paper of each candidate, and of the order in which the names of the candidates will be printed in the ballot paper, and in the case of an election for a county, deliver to the postmaster of the principal post office of the town in which is situate the place of election a paper, signed by himself, containing the names of the candidates nominated, and stating the day on which the poll is to be taken, and the postmaster shall forward the information contained in such paper by telegraph, free of charge, to the several postal telegraph offices situate in the county for which the election is to be held, and such information shall be published forthwith at each such office in the manner in which post office notices are usually published.

10. If any candidate nominated during the time appointed for the election is withdrawn in pursuance of this Act, the returning officer shall give public notice of the name of such candidate, and the names of the persons who subscribed the nomination paper of such candidate, as well as of the candidates who stood nominated or were elected.

11. The returning officer shall, on the nomination paper being delivered to him, forthwith publish notice of the name of the person nominated as a candidate, and of the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the room is situate appointed for the election.

12. A person shall not be entitled to have his name inserted in any ballot paper as a candidate unless he has been nominated in manner provided by this Act, and every person whose nomination paper has been delivered to the returning officer during the time appointed for the election shall be deemed to have been nominated in manner provided by this Act, unless objection be made to his nomination paper by the returning officer or some other person before the expiration of the time appointed for the election or within one hour afterwards.

13. The returning officer shall decide on the validity of every objection made to a nomination paper, and his decision, if disallowing the objection, shall be final; but if allowing the same, shall be subject to reversal on petition questioning the election or return.

The Poll.

14. The poll shall take place on such day as the returning officer may appoint, not being in the case of an election for a county or a district borough less than two nor more than six clear days, and not being in the case of an election for a borough other than a district borough more than three clear days after the day fixed for the election.

15. At every polling place the returning officer shall provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient, provided that in a district borough there shall be at least one polling station at each contributory place of such borough.

16. Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes screened from observation, as the returning officer thinks necessary, so that at least one compartment be provided for every one hundred and fifty electors entitled to vote at such polling station.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

19. The returning officer shall give public notice of the situation of polling stations and the description of voters entitled to vote at each station, and of the mode in which electors are to vote.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same county or borough.

21. The returning officer shall appoint a presiding officer to preside at each station, and the officer so appointed shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more can-

didates with the same surname) of their other names: it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as herein-after mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the presiding "officer."

The said declaration, in this Act referred to as "the declaration of "inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form herein-after mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being

put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called the tendered votes list.

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall, in the presence of the agents of the candidates, make up into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals,—

(1.) Each ballot box in use at his station, unopened but with the key attached; and

(2.) The unused and spoilt ballot papers, placed together; and

(3.) The tendered ballot papers; and

(4.) The marked copies of the register of voters, and the counterfoils of the ballot papers; and

(5.) The tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the returning officer.

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. The candidates may respectively appoint agents to attend the counting of the votes.

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The returning officer, his assistants and clerks, and the agents of the candidates, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. The returning officer, while counting and recording the number of ballot papers and counting the votes,

shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall report to the Clerk of the Crown in Chancery the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark;
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates, before such report is sent, to copy it.

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall report to the Clerk of the Crown in Chancery the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it.

38. Lastly, the returning officer shall forward to the Clerk of the Crown in Chancery (in manner in which the poll books are by any existing enactment required to be forwarded to such clerk, or as near thereto as circumstances admit) all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the county or borough for which such election was held; and the term poll book in any such enactment shall be construed to include any document forwarded in pursuance of this rule.

39. The Clerk of the Crown shall retain for a year all documents relating to an election forwarded to him in pursuance of this Act by a returning officer, and then, unless otherwise directed by an order of the House of Commons, or of one of Her Majesty's Superior Courts, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Clerk of the Crown in Chancery, except under

the order of the House of Commons or under the order of one of Her Majesty's Superior Courts, to be granted by such court on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the House or court making the same may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery. Any power given to a court by this rule may be exercised by any judge of such court at chambers.

41. No person shall, except by order of the House of Commons or any tribunal having cognizance of petitions complaining of undue returns or undue elections, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Clerk of the Crown in Chancery; such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the House or tribunal making the order may think expedient; provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents forwarded by a returning officer in pursuance of this Act to the Clerk of the Crown in Chancery, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the Clerk of the Crown in Chancery, with the consent of the Speaker of the House of Commons, and the Clerk of the Crown shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be sanctioned by the Treasury.

43. Where an order is made for the production by the Clerk of the Crown in Chancery of any document in his possession relating to any specified election, the production by such clerk or his agent of the document ordered, in such manner as may be directed by such order, or by a rule of the court having power to make such order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Clerk of the Crown or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be primâ facie evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

44. The return of a member or members elected to serve in Parliament for any county or borough shall be made by a certificate of the names of such member or members under the hand of the returning officer endorsed on the writ of election for such county or borough,

and such certificate shall have effect and be dealt with in like manner as the return under the existing law, and the returning officer may, if he think fit, deliver the writ with such certificate endorsed to the postmaster of the principal post office of the place of election, or his deputy, and in that case he shall take a receipt from the postmaster or his deputy for the same; and such postmaster or his deputy shall then forward the same by the first post, free of charge, under cover, to the Clerk of the Crown, with the words "Election Writ and Return" endorsed thereon.

45. The returning officer shall, as soon as possible, give public notice of the names of the candidates elected, and, in the case of a contested election, of the total number of votes given for each candidate, whether elected or not.

46. Where the returning officer is required or authorised by this Act to give any public notice, he shall carry such requirement into effect by advertisements, placards, handbills, or such other means as he thinks best calculated to afford information to the electors.

47. The returning officer may, if he think fit, preside at any polling station, and the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. In the case of a contested election for any county or borough, the returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, attend.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53. If any person appointed an agent by a candidate for the purposes of attending at the polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, or at the counting of the votes shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer, of a justice of the peace, and if he is any other officer or an agent, of a

justice of the peace or of the returning officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

56. In reckoning time for the purposes of this Act, Sunday, Christmas day, Good Friday, and any day set apart for a public fast or public thanksgiving, shall be excluded; and where anything is required by this Act to be done on any day which falls on the above-mentioned days such thing may be done on the next day, unless it is one of the days excluded as above mentioned.

57. In this Act—

The expression "district borough" means the borough of Monmouth and any of the boroughs specified in Schedule E. to the Act of the session of the second and third years of the reign of King William the Fourth, chapter forty-five, intituled "An "Act to amend the Representation of the People in England "and Wales"; and

The expression "polling place" means, in the case of a borough, such borough or any part thereof in which a separate booth is required or authorised by law to be provided; and

The expression "agents of the candidates," used in relation to a polling station, means agents appointed in pursuance of section eighty-five of the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter eighteen.

Modifications in Application of Part One of Schedule to Scotland.

58. In Scotland, the place of election shall be a convenient room situate in the town in which the writ for the election would, if this Act had not passed, have been proclaimed.

59. In Scotland, the candidates may respectively appoint agents to attend at the polling stations. The ballot papers and other documents other than the return required to be sent to and kept by the Clerk of the Crown in Chancery, shall, in Scotland, be kept by the sheriff clerks of the respective counties in which the returns (including those for burghs) are made, and the provisions of this schedule relating thereto shall be construed as if the sheriff clerk were substituted for Clerk of the Crown in Chancery.

60. In Scotland, the term "district borough" shall mean the combined burghs and towns specified in Schedule E. of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Re-"presentation of the People in Scotland;" and in Schedule A. of the Representation of the People (Scotland) Act, 1868.

31 & 32 Vict. c. 48.

61. The provisions of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-

five, intituled "An Act to amend the Representation of the People "in Scotland," in so far as they relate to the fixing and announcement of the day of election, the interval to elapse between the receipt of the writ and the day of election, the period of adjournment for taking the poll in the case of Orkney and Shetland, and of the district of burghs comprising Kirkwall, Wick, Dornoch, Dingwall, Tain, and Cromarty, and to the keeping open of the poll for two consecutive days in the case of Orkney and Shetland, shall remain in full force and effect, anything in this Act or any other Act of Parliament now in force notwithstanding; but nothing herein contained shall be construed to exclude Orkney and Shetland or Orkney or Shetland, or the said district of burghs, or any of the burghs in the said district, from any of the benefits and obligations of the other portions of this Act.

Modifications in Application of Part One of Schedule to Ireland.

62. The expression "Clerk of the Crown in Chancery" in this schedule shall mean, as regards Ireland, "the Clerk of the Crown "and Hanaper in Ireland."

63. A presiding officer at a polling station in a county in Ireland need not be a freeholder of the county.

PART II.

RULES FOR MUNICIPAL ELECTIONS.

64. In the application of the provisions of this schedule to municipal elections the following modifications shall be made:—

(*a.*) The expression "register of voters" means the burgess roll of the burgesses of the borough, or, in the case of an election for the ward of a borough, the ward list; and the mayor shall provide true copies of such register for each polling station:

(*b.*) All ballot papers and other documents which, in the case of a parliamentary election, are forwarded to the Clerk of the Crown in Chancery shall be delivered to the town clerk of the municipal borough in which the election is held, and shall be kept by him among the records of the borough; and the provisions of part one of this schedule with respect to the inspection, production, and destruction of such ballot papers and documents, and to the copies of such documents, shall apply respectively to the ballot papers and documents so in the custody of the town clerk, with these modifications; namely,

(*a.*) An order of the county court having jurisdiction in the borough, or any part thereof, or of any tribunal in which a municipal election is questioned, shall be substituted for an order of the House of Commons, or of one of Her Majesty's Superior Courts; but an appeal from such county court may be had in like manner as in other cases in such county court;

(*b.*) The regulations for the inspection of documents and the fees for the supply of copies of documents of which copies are directed to be supplied, shall be prescribed by the

council of the borough with the consent of one of Her Majesty's Principal Secretaries of State; and, subject as aforesaid, the town clerk, in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of this Act, shall be subject to the directions of the council of the borough:

(*c.*) Nothing in this schedule with respect to the day of the poll shall apply to a municipal election.

Modifications in Application of Part II. of Schedule to Scotland.

65. In part two of this schedule as applying to Scotland—

The expression "register of voters" means the register, list, or roll of persons entitled to vote in a municipal election made up according to the law for the time being in force.

The expression "county court" means the sheriff court.

The expression "town clerk" includes the clerk appointed by the Commissioners of Police under the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to make more "effectual provision for regulating the police of towns and "populous places in Scotland, and for paving, draining, cleans-"ing, lighting, and improving the same," and of the General Police and Improvement (Scotland) Act, 1862.

Modifications in Application of Part II. of Schedule to Ireland.

66. In part two of this schedule as applying to Ireland—

The expression "register of voters," in addition to the meaning specified in such part, means, in relation to any municipal borough subject to the provisions of a Local Act requiring an annual revision of the lists of voters at municipal elections, the register of voters made in conformity with the said provisions of such Local Act, and in relation to municipal boroughs to which Part II. of the Local Government (Ireland) Act, 1871, applies, the list to be made under the provisions of section twenty-seven of the said Act, and in relation to other municipal boroughs a list which the town clerk of every municipal borough is hereby authorised and directed to make, in like manner in every respect as if the provisions of the said section were applicable to and in force within such municipal borough.

The expression "county court" means the Civil Bill Court.

The expression "town clerk" includes clerk to the commissioners, municipal commissioners, town commissioners, or township commissioners of any municipal borough, and any person executing the duties of such town clerk.

The expression "council of the borough" includes commissioners, municipal commissioners, and town commissioners of the town, and township commissioners of the township.

The expression "one of Her Majesty's Principal Secretaries of "State" means the Chief Secretary of the Lord Lieutenant of Ireland.

SECOND SCHEDULE.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Writ for a County or Borough at a Parliamentary Election.

* Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the † of the county [*or* borough] of , greeting:

‡ Whereas by the advice of our Council we have ordered a Parliament to be holden at Westminster on the day of next. We command you that, notice of the time and place of election being first duly given, you do cause election to be made according to law of members [*or* a member] to serve in Parliament for the said county [*or* the division of the said county, *or* the borough, *or as the case may be*] of § and that you do cause the names of such members [*or* member] when so elected, whether they [*or* he] be present or absent, to be certified to us, in our Chancery, without delay.

Witness ourself at Westminster, the day of in the year of our reign, and in the year of our Lord 18 .

* *The name of the Sovereign may be altered when necessary.*

† *Insert "sheriff" or other returning officer.*

‡ *This preamble to be omitted except in case of a general election.*

§ *Except in a general election, insert here* in the place of A.B., deceased, *or otherwise, stating the cause of vacancy.*

Label or direction of Writ.

To the † of .

A writ of a new election of members [*or* member] for the said county [*or* division of a county *or* borough, *or as the case may be*].

Endorsement.

Received the within writ on the day of 18 .

(Signed) *A.B.*,

High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

Certificate endorsed on the Writ.

I hereby certify, that the members [*or* member] elected for in pursuance of the within-written writ, are [*or* is] *A.B.* of , in the county of , and *C.D.* of , in the county of .

(Signed) *A.B.*,

High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

Note.—A separate writ will be issued for each county as defined for the purposes of a parliamentary election.

Form of Notice of Parliamentary Election.

The returning officer of the of will, on the day of now next ensuing, between the hours of and , proceed to the nomination, and, if there is no opposition, to the election, of a member [*or* members] for the said county [*or* division of a county *or* borough] at the* .

* *Note.* Insert description of place and room.

* *Note.* Insert description of place and room.

Forms of nomination paper may be obtained at *, between the hours of and on .

Every nomination paper must be signed by two registered electors as proposer and seconder, and by eight other registered electors as assenting to the nomination.

Every nomination paper must be delivered to the returning officer by the candidate proposed, or by his proposer and seconder, between the said hours of and on the said day of at the said *.

Each candidate nominated, and his proposer and seconder, and one other person selected by the candidate, and no other persons, are entitled to be admitted to the room.

In the event of the election being contested the poll will take place on the day of .

(Signed) *A.B.*,
Sheriff [*or* Mayor, *or as the case may be*].
day of 18 .

Take notice, that all persons who are guilty of bribery, treating, undue influence, personation, or other corrupt practices at the said election will, on conviction of such offence, be liable to the penalties mentioned in that behalf in "The Corrupt Practices Prevention Act, 1854," and the Ballot Act, 1872, and the Acts amending the said Acts.

Form of Nomination Paper in Parliamentary Election.

We, the undersigned *A.B.* of in the of and *C.D.* of . in the of , being electors for the of , do hereby nominate the following person as a proper person to serve as member for the said in Parliament:

Surname.	Other Names.	Abode.	Rank, Profession, or Occupation.
BROWN	JOHN - - -	52, George St., Bristol	Merchant.
JONES	*or* WILLIAM DAVID - -	High Elms, Wilts -	Esquire.
MERTON	*or* Hon. GEORGE TRAVIS, commonly called Viscount.	Swanworth, Berks -	Viscount.
SMITH	*or* HENRY SYDNEY - -	72, High St., Bath -	Attorney.

(Signed) *A.B.*
C.D.

We, the undersigned, being registered electors of the , do hereby assent to the nomination of the above-mentioned *John Brown* as a proper person to serve as member for the said in Parliament.

(Signed) *E.F.* of
G.H. of
I.J. of
K.L. of
M.N. of
O.P. of
Q.R. of
S.T. of

Note.—Where a candidate is an Irish peer, or is commonly known by some title, he may be described by his title as if it were his surname.

Form of Nomination Paper in Municipal Election.

Note.—The form of nomination paper in a municipal election shall as nearly as circumstances admit be the same as in the case of a parliamentary election.

Form of Ballot Paper.

Form of Front of Ballot Paper.

Counterfoil No.

NOTE: *The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.*

1	BROWN (John Brown, of 52, George St., Bristol, merchant.)	
2	JONES (William David Jones, of High Elms, Wilts, Esq.)	
3	MERTON (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Berks.)	
4	SMITH (Henry Sydney Smith, of 72, High Street, Bath, attorney.)	

Form of Back of Ballot Paper.

No.

Election for county [*or* borough, *or* ward].

18 .

Note.—The number on the ballot paper is to correspond with that in the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, as shown in the form, and the names, addresses, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for candidate .

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than candidate , or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election for do anything forbidden by section four of The Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Declaration of inability to read.

I, *A.B.*, of , being numbered on the Register of Voters for the county [*or* borough] of , do hereby declare that I am unable to read.

A.B., his mark.

day of .

I, the undersigned, being the presiding officer for the polling station for the county [*or* borough] of , do hereby certify, that the above declaration, having been first read to the above-named *A.B.*, was signed by him in my presence with his mark.

Signed, *C.D.*,
Presiding officer for polling station for the county [*or* borough] of .
day of .

THIRD SCHEDULE.

Provisions of Registration Acts referred to in Part III. of the foregoing Act.

Session and Chapter.	Title.	Part applied.
	As to England.	
6 & 7 Vict. c. 18.	An Act to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the elections of members to serve in Parliament for England and Wales.	Sections eighty-five to eighty-nine, both inclusive.
	As to Ireland.	
13 & 14 Vict. c. 69.	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections ninety-two to ninety-six, both inclusive.

FOURTH SCHEDULE.

Acts relating to England.

NOTE.—This schedule, so far as respects Acts prior to the tenth year of the reign of George the Third, refers to the edition prepared under the direction of the Lord Chancellor, intituled "The Statutes, Revised Edition."

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Portions of Acts which have already been specifically repealed, are in some instances included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
7 Hen. 4.	Statute of the seventh year - -	Chapter fifteen.
8 Hen. 6.	Statutes of the eighth year of K. Henry VI.	Chapter seven, from "and such "as have the greatest num- "ber" to "shall lose their "wages," and from "and that "in every writ that shall here- "after go forth" to the end of the chapter.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
23 Hen. 6. -	Here begin the statutes made at Westminster in the twenty-third year.	Chapter fourteen.
7 & 8 Will. 3. c. 25.	An Act for the further regulating elections of members to serve in Parliament, and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members.	Sections three and four, and section five down to "writing the "same."
(1) 10 Will. 3. c. 7.	An Act for preventing irregular proceedings of sheriffs and other officers in making the returns of members chosen to serve in Parliament.	So much as is unrepealed.
2 Geo. 2. c. 24. -	An Act for the more effectual preventing bribery and corruption in the elections of members to serve in Parliament.	Sections three and nine.
18 Geo. 2. c. 18. -	An Act to explain and amend the laws touching the elections of knights of the shire to serve in Parliament for that part of Great Britain called England.	Section five, from "or shall vote "more than once," to the end of that section, and sections nine to sixteen.
19 Geo. 2. c. 28. -	An Act for the better regulating of elections of members to serve in Parliament for such cities and towns in that part of Great Britain called England as are counties of themselves.	Section four, from "or shall vote "more than once," to end of that section, and sections six to twelve.
3 Geo. 3. c. 15. -	An Act to prevent occasional freemen from voting at elections of members to serve in Parliament for cities and boroughs.	Section seven.
11 Geo. 3. c. 55.	*An Act the title of which begins with the words* "An Act to incapacitate," *and ends with the words* "New Shore- "ham, in the county of Sussex."	The whole Act.
21 Geo. 3. c. 54.	An Act for the better regulating elections of citizens to serve in Parliament for the city of Coventry.	Sections seven to nine and fourteen.
22 Geo. 3. c. 31.	An Act for the preventing of bribery and corruption in the election of members to serve in Parliament for the borough of Cricklade in the county of Wilts.	The whole Act.
25 Geo. 3. c. 84.	*An Act the title of which begins with the words* "An Act to limit the "duration," *and ends with the words* "to serve in Parliament."	The whole Act, except section one down to "make a return "of such person or persons," and section three in so far as that part of a section and section relate to the universities.
33 Geo. 3. c. 64.	*An Act the title of which begins with the words* "An Act to explain and "amend an Act," *and ends with the words* "time and place of election."	The whole Act, except so far as it relates to the universities.
34 Geo. 3. c. 73.	An Act for directing the appointment of Commissioners to administer certain oaths and declarations required by law to be taken and made by persons offering to vote at the election of members to serve in Parliament.	The whole Act.

(1) 10 & 11 W. 3. in running headings in ordinary editions.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
42 Geo. 3. c. 62.	An Act for extending the provisions of an Act made in the thirty-fourth year of the reign of His present Majesty, intituled "An Act for directing the appointment of Commissioners to administer certain oaths and declarations required by law to be taken and made by persons offering to vote at the election of members to serve in Parliament," to all oaths now required by law to be taken by voters at elections for members to serve in Parliament.	The whole Act.
43 Geo. 3. c. 74.	An Act for further regulating the administration of the oath or affirmation required to be taken by electors of members to serve in Parliament, by an Act passed in the second year of King George the Second, intituled "An Act for the more effectual preventing bribery and corruption in the election of members to serve in Parliament."	The whole Act.
44 Geo. 3. c. 60.	An Act for the preventing of bribery and corruption in the election of members to serve in Parliament for the borough of Aylesbury in the county of Buckingham.	The whole Act.
11 Geo. 4. & 1 Will. 4. c. 74.	An Act to prevent bribery and corruption in the election of burgesses to serve in Parliament for the borough of East Retford.	The whole Act.
2 & 3 Will. 4. c. 45.	An Act to amend the representation of the people in England and Wales.	Sections fifty-eight to sixty; sections sixty-two, sixty-three, sixty-five, sixty-seven; part of section sixty-eight, namely, from "shall if required there-" by" down to "poll at each "compartment, and", and from "and in case the booths "shall be situated in different "places" to "lawfully closed;" and section sixty-nine; and section seventy-one from "and "that all deputies" to "can-"didates at such election," and from "provided also, that "the sheriff" to the end of the section; and sections seventy-two, seventy-three, and seventy-four.
2 & 3 Will. 4. c. 64.	An Act to settle and describe the divisions of counties and the limits of cities and boroughs in England and Wales, in so far as respects the election of members to serve in Parliament.	Sections twenty-nine to thirty-three, and so much of section thirty-four as relates to taking the poll.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
5 & 6 Will. 4. c. 36.	An Act to limit the time of taking the poll in boroughs at contested elections of members to serve in Parliament to one day.	The whole Act, except section two, down to "in the fore- "noon," and from "and the "polling" to "in the after- "noon;" and sections seven to nine.
5 & 6 Will. 4. c. 76.	An Act to provide for the regulation of municipal corporations in England and Wales.	The words "openly assemble "and" in section thirty; section thirty-two from "by de- "livering to the mayor and "assessors" to the end of that section, and so much of the rest of that section as relates to assessors; section thirty-three from "and shall be so divided" to "poll at each compartment, "and", and from "and in case "the booths" to "at each "place;" the words "Are you "the person whose name is "signed as A.B. to the voting "paper now delivered in by "you" in section thirty-four, and section thirty-five from "and the mayor shall cause the "voting papers" to end of that section, and so much of the rest of that section as relates to assessors; and so much of sections forty-three, forty-four, and forty-six as relates to assessors.
6 & 7 Will. 4. c. 102.	An Act for rendering more easy the taking the poll at county elections.	The whole Act.
6 & 7 Vict. c. 18.	An Act to amend the law for the registration of persons entitled to vote and to define certain rights of voting, and to regulate certain proceedings in the election of members to serve in Parliament for England and Wales.	Section seventy-nine from "Pro- "vided always, that it shall not "be lawful" to end of that section; section eighty; so much of section eighty-one as relates to a commissioner or commissioners; sections eighty-three, eighty-four, and ninety-one, sections ninety-four to ninety-six, and sections ninety-eight and ninety-nine.
16 & 17 Vict. c. 15.	An Act to limit the time of taking the poll in counties at contested elections for knights of the shire to serve in Parliament in England and Wales to one day.	The whole Act, except section two, down to "in the afternoon "of such day," and section three.
16 & 17 Vict. c. 68.	An Act to limit the time for proceeding to election in counties and boroughs in England and Wales, and for polling at elections for the Universities of Oxford and Cambridge, and for other purposes.	Sections two, three, seven, and eight.
17 & 18 Vict. c. 102.	"The Corrupt Practices Prevention "Act, 1854."	Section eleven and Schedule B.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
22 Vict. c. 35.	"The Municipal Corporation Act, "1859."	So much of section seven as relates to the form of nomination paper, and so much of section eight as relates to assessors.
25 & 26 Vict. c. 95.	An Act to amend the law relating to polling places in the boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford.	The whole Act.
30 & 31 Vict. c. 102.	"The Representation of the People "Act, 1867."	Section thirty-five; section thirty-seven from "where in any "place" to end of that section; section thirty-nine.
31 & 32 Vict. c. 58.	"The Parliamentary Electors Regis- "tration Act, 1868."	Sections four to sixteen, twenty-four, twenty-six, thirty-four, and thirty-six.
31 & 32 Vict. c. 125.	"The Parliamentary Elections Act, "1868."	Section forty, from "provided "always," to the end of that section.

FIFTH SCHEDULE.

Acts relating to Scotland.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title of Act.	Extent of Repeal.
2 & 3 Will. 4. c. 65.	An Act to amend the representation of the people in Scotland.	Sections twenty-four and twenty-five; section twenty-six; section twenty-seven from the words "and each substitute "so superintending" to the end of that section; section twenty-eight from the words "and shall within three days" to the end of that section; section twenty-nine the words "the market cross or some "other convenient and open "place in or immediately "adjoining," and from the words "and if no more than "one candidate" to the end of that section; section thirty the words "the market cross "or some other convenient and "open place in or immediately "adjoining," and from the words "and if no more candi-

Session and Chapter.	Title of Act.	Extent of Repeal.
2 & 3 Will. 4. c. 65.—*cont.*		"dates" down to the words "Saturdays and Sundays," and from the words "and the "sheriff who proclaimed the "writ" to the end of that section; sections thirty-two, thirty-three, and thirty-nine; sections forty-three, forty-seven, and forty-eight.
3 & 4 Will. 4. c. 76.	An Act to alter and amend the laws for the election of the magistrates and councils of the royal burghs in Scotland.	Section eight so far as it provides that the election shall be by "open" poll, and from the words "and each poll clerk "shall enter" to the end of that section; section ten, so far as it relates to poll-books; section eleven, so far as it relates to voting by lists; and the words "assemble in the town "hall or other public room of "such burgh and," and from the words "and the provost" to the end of that section; section fifteen, so far as inconsistent with this Act; section eighteen; section thirty-six from the commencement to "provided always, that;" and section thirty-eight.
3 & 4 Will. 4. c. 77.	An Act to provide for the appointment and election of magistrates and councillors for the several burghs and towns of Scotland which now return or contribute to return members to Parliament and are not royal burghs.	Section four so far as it provides that the election shall be by open poll; and from the words, "and each poll clerk shall "enter" to the end of that section; section eight and section nine from the words "assemble in the town hall" to the words "in each such "burgh or town;" so much of the section as relates to voting by lists, and from the words "and such town clerk" to the end of that section; section eleven so far as inconsistent with this Act; and sections eighteen and thirty-four.
4 & 5 Will. 4. c. 86.	*An Act the title of which begins with the words* "An Act to explain cer- "tain provisions," *and ends with the words* "to return members to Parlia- "ment, and are not royal burghs."	The whole Act.
4 & 5 Will. 4. c. 87.	*An Act the title of which begins with the words* "An Act to explain cer- "tain provisions," *and ends with the words* "of the royal burghs of "Scotland."	The whole Act.

Session and Chapter.	Title of Act.	Extent of Repeal.
4 & 5 Will. 4. c. 88.	An Act for the more effectual registration of persons entitled to vote in the election of members to serve in Parliament.	The whole Act.
5 & 6 Will. 4. c. 78.	*An Act the title of which begins with the words* "An Act to explain and "amend an Act," *and ends with the words* "and to diminish the ex- "penses thereof."	Sections one and two; section five from "and after the poll" to "the declaration"; sections six, seven, eight, twelve, thirteen, and fifteen.
13 & 14 Vict. c. 33.	An Act to make more effectual provision for regulating the police of towns and populous places in Scotland, and for paving, draining, cleansing, lighting, and improving the same.	Sections seven to eleven and thirteen to twenty-six, sections twenty-nine and thirty, so far as their provisions are inconsistent with the provisions of this Act, and schedules (A.), (B.), and (C.).
16 & 17 Vict. c. 28.	An Act to amend the law as to taking the poll at elections of members to serve in Parliament for Scotland.	Sections one and ten.
18 & 19 Vict. c. 24.	*An Act the title of which begins with the words* "An Act to amend an "Act," *and ends with the words* "in "county elections in that country."	The whole Act.
24 & 25 Vict. c. 83.	An Act to amend the law regarding the registration of county voters in Scotland.	Schedule (D.) annexed to the Act from the words "and that "I am possessed" to the end of the said schedule.
25 & 26 Vict. c. 101.	*An Act the title of which begins with the words* "An Act to make more "effectual provision for regulating "the police," *and ends with the words* "and also for promoting the "public health thereof."	Sections forty-six, forty-seven, and fifty, so far as their provisions are inconsistent with the provisions of this Act.
28 & 29 Vict. c. 92.	An Act to shorten the time for the election of members for the Ayr district of Burghs.	The whole Act.
31 & 32 Vict. c. 48.	An Act for the amendment of the representation of the people in Scotland.	Section twenty-four from the words "and in the case of a "poll being demanded" to the words "the said sheriff of "the county of Peebles;" and sections forty-four and fifty-four; and section fifty-nine from the words "oath of pos- "session" to the end of that section.
31 & 32 Vict. c. 58.	*An Act the title of which begins with the words* "An Act to amend the "law of registration," *and ends with the words* "other purposes relating "thereto."	Section thirteen.

SIXTH SCHEDULE.

Acts relating to Ireland.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

ACTS OF THE PARLIAMENT OF IRELAND.

Session and Chapter.	Title.	Extent of Repeal.
10 Hen. 7. c. 22.	An Act confirming all the statutes made in England.	So much of the same as extends to Ireland the provisions of the Acts of the Parliament of England following; namely,—7 Hen. 4. chapter fifteen, 8 Hen. 6. chapter seven, from "and such as have the greatest "number" to "shall lose their wages," and from "and "that in every writ that shall "hereafter go forth" to the end of the chapter, 23 Hen. 6. chapter fourteen.
35 Geo. 3. c. 29. -	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	Section three, sections five to thirteen, sections fifteen to eighteen, section twenty.

ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM.

1 Geo. 4. c. 11. -	An Act for the better regulation of polls, and for making further provision touching the election of members to serve in Parliament for Ireland.	Sections two and three, section five from the words "and that "such sheriff" to the end of that section, sections six to twenty one, section twenty-three, sections forty-one and forty-two.
9 Geo. 4. c. 82. -	An Act to make provision for the lighting, cleansing, and watching of cities, towns, corporations, and market towns in Ireland in certain cases.	So much of sections twelve and sixteen as prescribes the mode of election of commissioners.
4 Geo. 4. c. 55. -	An Act to consolidate and amend the several Acts now in force, so far as the same relate to the election and return of members to serve in Parliament for counties of cities and counties of towns in Ireland.	Section thirty-three from the words "and that such sheriffs" to the end of that section, sections thirty-four to forty-seven, sections forty-nine to fifty-nine, sections sixty to sixty-two, sections sixty-four and sixty-five, sections sixty-eight to seventy, seventy-two, seventy-six, and seventy-seven.
2 & 3 Will. 4. c. 88.	An Act to amend the representation of the people of Ireland.	Section thirty, section forty-eight, and sections forty-nine to fifty-four.

Session and Chapter.	Title.	Extent of Repeal.
3 & 4 Vict. c. 108.	An Act for the regulation of municipal corporations in Ireland.	Section sixty-four from the words "by delivering to the mayor "or barrister" to the end of that section, and so much of that section as relates to assessors; section sixty-five from "and shall be so divided" to "poll at each compartment," and from "in case the booths" to "at each place;" the words "are you the person whose name is "signed as A.B. to "the voting paper now de- "livered in by you," in section sixty-six; section sixty-eight from "and the mayor shall "cause the voting papers" to the end of that section, and so much of the rest of that section as relates to assessors; and so much of section seventy as relates to ward assessors.
6 & 7 Vict. c. 93.	An Act to amend an Act of the third and fourth years of Her present Majesty for the regulation of municipal corporations in Ireland.	Section twenty-three.
9 & 10 Vict. c. 19.	An Act to amend an Act of the second and third years of His late Majesty by providing additional booths or polling places at elections in Ireland where the number of electors whose names shall begin with the same letter of the alphabet shall exceed a certain number.	The whole Act.
13 & 14 Vict. c. 68.	An Act to shorten the duration of elections in Ireland, and for establishing additional places for taking the poll thereat.	Section one, section three, section four, sections ten to fourteen, so much of section fifteen as prescribes the interval between the election and the polling, section sixteen, section nineteen from "and that all the "deputies" to "at the expense of the candidates," section twenty, section twenty-two.
13 & 14 Vict. c. 69.	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections eighty-six, ninety-eight, ninety-nine; section one hundred; sections one hundred and one and one hundred and two, sections one hundred and four and one hundred and five.
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	Section eleven, and Schedule B.
17 & 18 Vict. c. 103.	The Towns Improvement (Ireland) Act, 1854.	So much of section twenty-four as incorporates the sections of 10 & 11 Vict. c. 16. following; that is to say,—sections twenty-three, twenty-six, and twenty-

Session and Chapter.	Title.	Extent of Repeal.
17 & 18 Vict. c. 103.—*cont.*		seven; section twenty-eight from the words "and shall be "conducted in manner fol- "lowing" to "carefully pre- "served by the presiding "officer, and," and the ques- tion numbered I., section thirty from "the "returning officer" to "each person and," and section thirty-one, and so much of any Act as incorporates the part of the said section twenty-four hereby repealed.
25 & 26 Vict. c. 62.	An Act to amend the law relating to the duration of contested elections for counties in Ireland, and for establishing additional places for taking the poll thereat.	Part of section four, namely, so much as prescribes the interval between the day fixed for the election and the polling; section five, sections eight to ten.
25 & 26 Vict. c. 92.	An Act to limit the time for proceeding to elections in counties and boroughs in Ireland.	Section one, and section two from the words "and in every "city or town" to the end of that section.
31 & 32 Vict. c. 49.	An Act to amend the representation of the people in Ireland.	Section twelve from the words "several boroughs" to the word "Cork," and the words "and county of the city of "Limerick."
31 & 32 Vict. c. 112.	An Act to amend the law of registration in Ireland.	Sections four to thirty; section thirty-eight.

CHAPTER 34.

An Act to amend the Law relating to the Election of Directors of the Bank of England.

[18th July 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Not above seven eighths of the old directors to be chosen. 8 & 9 W. 3. c. 20. s. 52.

1. Section fifty-two of the Act of the session of the eighth and ninth years of King William the Third, intituled "An "Act for making good the deficiences of several funds "therein mentioned, and for enlargeing the capital stock of "the Bank of England, and for raising the publick creditt," (which section relates to elections of directors of the Bank of England,) shall have effect as if seven eighths had been therein mentioned instead of two thirds.

2. Any new or altered byelaw from time to time made by a general court of the corporation of the Bank of England for the execution of this Act, not being repugnant to the law of England, shall be effectual, without further confirmation or approval. Byelaws for execution of Act.

3. This Act may be cited as The Bank of England (Election of Directors) Act, 1872. Short title.

CHAPTER 35.

An Act for the Amendment of the Act of Uniformity.

[18th July 1872.]

WHEREAS by the Act of Uniformity it is enacted that all and singular ministers in any cathedral, collegiate, or parish church or chapel, or other place of public worship in England, shall be bound to say and use the Morning Prayer, Evening Prayer, celebration and administration of both the Sacraments, and all other the public and common prayer, in such order and form as is mentioned in the Book of Common Prayer annexed to the said Act:

And whereas in the year one thousand eight hundred and sixty-nine Commissioners were appointed by Her Majesty to inquire and consider, amongst other matters, the differences of practice which have arisen from varying interpretations put upon the rubrics, orders, and directions for regulating the course and conduct of public worship, the administration of the sacraments, and the other services contained in the Book of Common Prayer, with a view of explaining or amending the said rubrics, orders, and directions so as to secure general uniformity of practice in such matters as may be deemed essential, and to report thereon from time to time, having regard not only to the said rubrics, orders, and directions, but also to any other laws or customs relating to the matters aforesaid, with power to suggest any alterations, improvements, or amendments with respect to such matters or any of them:

And whereas the said Commissioners have by their Report dated the thirty-first day of August one thousand eight hundred and seventy recommended in manner therein mentioned:

And whereas Her Majesty was pleased to authorise the Convocations of Canterbury and York to consider the said Report of the said Commissioners, and to report to Her Majesty thereon, and the said Convocations have accordingly made their first reports to Her Majesty:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Par-

liament assembled, and by the authority of the same, as follows:

Definitions.

1. In this Act,—

The term "Act of Uniformity" means the Act of the fourteenth year of the reign of King Charles the Second, chapter four, intituled "An Act for the Uniformity of "Public Prayers and Administration of Sacraments and "other Rites and Ceremonies, and for establishing the "Form of Making, Ordaining, and Consecrating Bishops, "Priests, and Deacons in the Church of England," and includes the enactments confirmed and applied by that Act to the Book of Common Prayer:

The term "Book of Common Prayer" means the book annexed to the said Act of the reign of King Charles the Second, and intituled "The Book of Common Prayer and "Administration of the Sacraments and other Rites and "Ceremonies of the Church according to the Use of the "Church of England, together with the Psalter or Psalms "of David pointed as they are to be sung or said in "Churches, and the Form or Manner of Making, Ordaining, "and Consecrating of Bishops, Priests, and Deacons:"

The term "cathedral" means a cathedral or collegiate church in which the Book of Common Prayer is required by the Act of Uniformity to be used:

The term "church" means any parish church, chapel, or other place of public worship which is not a cathedral as before defined, and in which the Book of Common Prayer is required by the Act of Uniformity to be used.

Use of shortened form of Morning and Evening Prayer.

2. The shortened Order for Morning Prayer or for Evening Prayer specified in the schedule to this Act, may, on any day except Sunday, Christmas Day, Ash Wednesday, Good Friday, and Ascension Day, be used, if in a cathedral in addition to, and if in a church in lieu of, the Order for Morning Prayer or for Evening Prayer respectively prescribed by the Book of Common Prayer.

Special service for special occasions.

3. Upon any special occasion approved by the ordinary, there may be used in any cathedral or church a special form of service approved by the ordinary, so that there be not introduced into such service anything, except anthems or hymns, which does not form part of the Holy Scriptures or Book of Common Prayer.

Additional service on Sundays and holy-days.

4. An additional form of service varying from any form prescribed by the Book of Common Prayer may be used at any hour on any Sunday or holy-day in any cathedral or church in which there are duly read, said, or sung as required by law on such Sunday or holy-day at some other hour or hours the Order for Morning Prayer, the Litany, such part of the Order for the Administration of the Lord's Supper or Holy

Communion as is required to be read on Sundays and holydays if there be no Communion, and the Order for Evening Prayer, so that there be not introduced into such additional service any portion of the Order for the Administration of the Lord's Supper or Holy Communion, or anything, except anthems or hymns, which does not form part of the Holy Scriptures or Book of Common Prayer, and so that such form of service and the mode in which it is used is for the time being approved by the ordinary; provided that nothing in this section shall affect the use of any portion of the Book of Common Prayer as otherwise authorised by the Act of Uniformity or this Act.

Separation of services.

5. Whereas doubts have arisen as to whether the following forms of service, that is to say, the Order for Morning Prayer, the Litany, and the Order for the Administration of the Lord's Supper or Holy Communion, may be used as separate services, and it is expedient to remove such doubts: Be it therefore enacted and declared, that any of such forms of service may be used together or in varying order as separate services, or that the Litany may be said after the third collect in the Order for Evening Prayer, either in lieu of or in addition to the use of the Litany in the Order for Morning Prayer, without prejudice nevertheless to any legal powers vested in the ordinary; and any of the said forms of service may be used with or without the preaching of a sermon or lecture, or the reading of a homily.

Preaching a sermon without previous service.

6. Whereas doubts have arisen as to whether a sermon or lecture may be preached without the common prayers and services appointed by the Book of Common Prayer for the time of day being previously read, and it is expedient to remove such doubts: Be it therefore enacted and declared, that a sermon or lecture may be preached without the common prayers or services appointed by the Book of Common Prayer being read before it is preached, so that such sermon or lecture be preceded by any service authorised by this Act, or by the Bidding Prayer, or by a collect taken from the Book of Common Prayer, with or without the Lord's Prayer.

Saving of 34 & 35 Vict. c. 26. s. 6.

7. Nothing in this Act shall affect the provision with respect to the chapels of colleges in the universities of Oxford, Cambridge, and Durham, which is contained in section six of the Universities Tests Act, 1871.

Effect of schedule.

8. The schedule to this Act, and the notes thereto and directions therein, shall be construed and have effect as part of this Act.

Short title.

9. This Act may be cited as "The Act of Uniformity Amendment Act, 1872."

SCHEDULE.

NOTE.—The Minister using the Shortened Order for Morning Prayer or for Evening Prayer in this Schedule, may in his discretion add in its proper place any exhortation, prayer, canticle, hymn, psalm, or lesson contained in the Order for Morning Prayer or for Evening Prayer in the Book of Common Prayer and omitted or authorised to be omitted from such shortened order.

Each of the twenty-two portions into which the one hundred and nineteenth psalm is divided in the Book of Common Prayer shall be deemed, for the purposes of this schedule, to be a separate psalm.

SHORTENED FORMS OF SERVICE.

THE SHORTENED ORDER FOR MORNING PRAYER DAILY THROUGHOUT THE YEAR, EXCEPT ON SUNDAY, CHRISTMAS DAY, ASH WEDNESDAY, GOOD FRIDAY, AND ASCENSION DAY.

At the beginning of Morning Prayer the Minister shall read with a loud voice some one or more of these sentences of the Scriptures that follow.

When the wicked man, &c.

A general Confession to be said of the whole Congregation after the Minister, all kneeling.

Almighty and most merciful Father, &c.

The Absolution, or Remission of sins, to be pronounced by the Priest alone, standing, the people still kneeling.

Almighty God, the Father, &c.

The people shall answer here, and at the end of all other prayers, Amen.

Then the Minister shall kneel, and say the Lord's Prayer with an audible voice; the people also kneeling, and repeating it with him.

Our Father, which art in heaven, &c.

Then likewise he shall say,

O Lord, open thou our lips.
&c. &c. &c.

Here, all standing up, the Priest shall say,

Glory be to the Father, &c.

Then shall follow one or more of the Psalms appointed. And at the end of every Psalm throughout the year, and likewise at the end of Benedicite, Benedictus, Magnificat, *and* Nunc dimittis, *shall be repeated,*

Glory be to the Father, &c.

Then shall be read distinctly, with an audible voice, either the First Lesson taken out of the Old Testament as is appointed in the Calendar, or the Second Lesson taken out of the New Testament, except there be a Proper Lesson assigned for that day, in which case the proper Lesson shall be read, and if there are two Proper Lessons each shall be read in its proper place; he that readeth so standing and turning himself as he may best be heard of all such as are present.

Note that before every Lesson the Minister shall say, Here beginneth such a Chapter, *or* Verse of such a Chapter, of such a Book. *And after every Lesson,* Here endeth the Lesson, *or* the First *or* the Second Lesson.

And after the Lesson, or between the First and Second Lessons, shall be said or sung in English one of the following:

Either the Hymn called, Te Deum Laudamus.

We praise thee, O God, &c.

Or this Canticle, Benedicite, omnia opera.

O all ye works of the Lord, &c.

Or the Hymn following (except when that shall happen to be read in the Lesson for the day, or for the Gospel on Saint John Baptist's Day):

Benedictus. St. Luke i. 68.

Blessed be the Lord God of Israel, &c.

Or this Psalm:

Jubilate Deo.

O be joyful in the Lord, all ye lands, &c.

Then shall be sung or said the Apostles Creed by the Minister and the people standing.

I believe in God, the Father Almighty, &c.

And after that, the people all devoutly kneeling, the Minister shall pronounce with a loud voice,

The Lord be with you.
Answer. And with thy spirit.
Minister. Let us pray.

Then the Priest shall say,

O Lord, shew thy mercy upon us.
&c. &c. &c.

Then shall follow three Collects. The first of the day, which shall be the same that is appointed at the Communion; the second for Peace; the third for grace to live well; and the two last Collects shall never alter, but daily be said at Morning Prayer throughout all the year, as followeth, all kneeling.

The second Collect for Peace.

O God, who art the Author of peace, &c.

The third Collect for Grace.

O Lord, our heavenly Father, &c.

Here may follow an Anthem or Hymn:

Then these two Prayers following:

A Prayer of Saint Chrysostome.

Almighty God, who hast given us grace, &c.

2 *Corinthians,* xiii.

The grace of our Lord Jesus Christ, &c.

Here endeth the Shortened Order of Morning Prayer.

THE SHORTENED ORDER FOR EVENING PRAYER DAILY THROUGHOUT THE YEAR, EXCEPT ON SUNDAY, CHRISTMAS DAY, ASH WEDNESDAY, GOOD FRIDAY, AND ASCENSION DAY.

At the beginning of Evening Prayer the Minister shall read with a loud voice some one or more of these sentences of the Scriptures that follow:

When the wicked man, &c.

A general Confession to be said of the whole Congregation, after the Minister, all kneeling.

Almighty and most merciful Father, &c.

The Absolution, or Remission of sins, to be pronounced by the Priest alone, standing; the people still kneeling.

Almighty God, the Father, &c.

Then the Minister shall kneel and say the Lord's Prayer; the people also kneeling, and repeating it with him.

Our Father, which art in heaven, &c.

Then likewise he shall say,

O Lord, open thou our lips.

Here, all standing up, the Priest shall say,

Glory be to the Father, &c.

Then shall be said or sung one or more of the Psalms in order as they be appointed. Then either a Lesson of the Old Testament as is appointed, or a Lesson of the New Testament as it is appointed, except there be a Proper Lesson assigned for that day, in which case the Proper Lesson shall be read, and if there are two Proper Lessons each shall be read in its proper place; and after the Lesson, or between the First and Second Lessons, shall be said or sung in English one of the following:

Either Magnificat, *or the Song of the Blessed* Virgin Mary *in English, as follows:*

Magnificat. St. Luke i.

My soul doth magnify the Lord, &c.

Or this Psalm (except it be on the nineteenth day of the month, when it is read in the ordinary course of the Psalms).

Cantate Domino. Psalm xcviii.

O sing unto the Lord a new song, &c.

Or Nunc dimittis (*or the Song of* Simeon), *as followeth:*

Nunc dimittis. St. Luke ii. 29.

Lord, now lettest thou thy servant, &c.

Or else this Psalm (except it be on the twelfth day of the month):

Deus misereatur. Psalm lxvii.

God be merciful unto us, and bless us, &c.

Then shall be said or sung the Apostles Creed by the Minister and the people, standing:

I believe in God the Father Almighty, &c.

And after that, the people all devoutly kneeling, the Minister shall pronounce with a loud voice:

The Lord be with you.

Answer. And with thy spirit.

Minister. Let us pray.

Then the Priest shall say,

O Lord, shew thy mercy upon us,

&c. &c. &c.

Then shall follow three Collects. The first of the day; the second for Peace; the third for aid against all perils, as hereafter followeth; which two last Collects shall be daily said at Evening Prayer without Alteration.

The second Collect at Evening Prayer.

O God, from whom all holy desires, &c.

The third Collect for Aid against all Perils.

Lighten our darkness, &c.

Here may follow an Anthem or Hymn.

A Prayer of Saint Chrysostome.

Almighty God, who hast given us grace, &c.

2 Corinthians, xiii.

The grace of our Lord Jesus Christ, &c.

Here endeth the Shortened Order of Evening Prayer.

CHAPTER 36.

An Act to render it unlawful to demand any Fee or Reward for the Celebration of the Sacrament of Baptism, or the Registry thereof.

[18th July 1872.]

WHEREAS doubts have been entertained whether in certain churches and chapels of the Church of England as by law established, under the authority of certain Local Acts of Parliament or custom, fees may not now be demanded for the administration of the sacrament of baptism, or for the due registration of such administration:

And whereas it is expedient that such doubts should not exist:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. That from and after the passing of this Act, it shall not be lawful for the minister, clerk in orders, parish clerk, vestry clerk, warden, or any other person to demand any fee or reward for the celebration of the sacrament of baptism, or for

Fee for celebration of baptism unlawful.

the registry thereof: Provided always, that this Act shall not apply to the present holder of any office who may at the present time be entitled by any Act of Parliament to demand such fees.

CHAPTER 37.

An Act to apply the sum of eight million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-three.

[25th July 1872.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 8,000,000*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-three, the sum of eight million pounds.

Treasury to borrow on credit of said sum.

2. The Commissioners of the Treasury may borrow from time to time on the credit of the said sum of eight million pounds any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed with interest not exceeding five pounds per centum per annum out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

CHAPTER 38.

An Act for the better Protection of Infant Life.

[25th July 1872.]

WHEREAS it is expedient to make better provision for the protection of infants intrusted to persons to be nursed or maintained for hire or reward in that behalf:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation clause.

1. The term "Summary Jurisdiction Acts" means as follows:

As to England, the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance "of the duties of justices of the peace out of sessions "within England and Wales with respect to summary "convictions and orders," and any Acts amending the same;

As to Scotland, "The Summary Procedure Act, 1864;"

As to Ireland, within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district or of the police of such district; and elsewhere in Ireland, "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same:

The term "court of summary jurisdiction" means and includes any justice or justices of the peace, sheriff or sheriff substitute, metropolitan police magistrate, stipendiary or other magistrate or authority, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts or any Acts therein referred to, or to proceedings before whom the provisions of the Summary Jurisdiction Acts are or may be made applicable:

In this Act the words "local rate," "local jurisdiction," and "local authority," mean, in reference to the districts mentioned in the first column of the First Schedule annexed hereto, the rate, jurisdiction, and authority mentioned in the second, third, and fourth columns of the said schedule, and such schedule and the notes thereto annexed shall be deemed to be part of this Act.

Houses of persons retaining or receiving for hire two or more infants for the purpose of nursing to be registered.

2. From and after the commencement of this Act it shall not be lawful for any person to retain or receive for hire or reward in that behalf more than one infant, and in case of twins more than two infants, under the age of one year for the purpose of nursing or maintaining such infants apart from their parents for a longer period than twenty-four hours, except in a house which has been registered as herein provided.

Register of names and houses to be kept by local authority.

3. The local authority shall cause a register to be kept in which shall be entered the name of every person applying to register any house for the purposes of this Act, and the situation of every such house, and the local authority shall from time to time make byelaws for fixing the number of infants who may be received into each house so registered; the registration shall remain in force for one year; no fee shall be charged for registration. Every person who receives or retains any infant in contravention to the provisions of this Act shall be guilty of an offence against this Act.

Local authority may refuse to register.

4. The local authority may refuse to register any house, unless they are satisfied that such house is suitable for the purposes for which it is to be registered, and unless they are satisfied by the production of certificates that the person applying to be registered is of good character, and able to maintain such infants.

Persons whose names and houses are registered to keep a register of infants and to produce it when lawfully required.

5. The person registered as aforesaid shall immediately enter in a register to be kept by him the name, sex, and age of each infant under his care, and the date at which and the names and addresses of the persons from whom they were received, and shall also enter in the said register the time when and the names and addresses of the person by whom every such infant received and retained as aforesaid shall be removed immediately after the removal of such infant, and shall produce the said register when required to do so by the local authority; and in the event of his refusing so to produce the said register or neglecting to enter in a register the name, sex, and age of each of the said infants, and the date at which and the names and addresses of the persons from whom they were received and by whom they were removed respectively, shall be liable to a penalty not exceeding five pounds. The person registered shall be entitled to receive gratuitously from the local authority a book of forms for the registration of infants; such register may be in the form contained in the second schedule to this Act.

Forgery of certificate and falsifying register.

6. If any person shall make false representations with a view to being registered under this Act, or shall forge any certificate for the purpose of this Act, or make use of any forged certificate, knowing it to be forged, or shall falsify any register kept in pursuance of this Act, he shall be guilty of an offence against this Act.

Local authority may strike name and house off register for neglect, &c.

7. If it shall be proved to the satisfaction of the local authority that any person whose house has been so registered as aforesaid has been guilty of serious neglect, or is incapable of providing the infants intrusted to his care with proper food and attention, or that the house specified in the register has become unfit for the reception of infants, it shall be lawful

for the local authority to strike his name and house off the register.

Inquest to be held on death of infant.

8. The person registered as aforesaid shall within twenty-four hours after the death of every infant so retained or received cause notice thereof to be given to the coroner for the district within which the said infant died, and the said coroner shall hold an inquest on the body of every such infant unless a certificate under the hand of a registered medical practitioner shall be produced to him by the person so registered certifying that such registered medical practitioner has personally attended or examined such infant, and specifying the cause of its death, and the said coroner shall be satisfied by such certificate that there is no ground for holding such inquest. If the person so registered shall neglect to give notice as aforesaid he shall be guilty of an offence under this Act.

Punishment for offence under this Act.

9. Every person guilty of an offence under this Act shall be liable to imprisonment for not more than six months, with or without hard labour, or to a penalty not exceeding five pounds, as a court of summary jurisdiction may award, and shall in addition be liable to have his name and house struck off the register.

Payment of expenses out of local rate.

10. All expenses incurred in and about the execution of this Act shall be defrayed out of the local rate.

Offence how to be prosecuted.

11. Any offence under this Act may be prosecuted before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts: Provided as follows:

The description of any offence under this Act in the words of such Act, or as near thereto as may be, shall be sufficient in law:

Any exception, exemption, proviso, excuse, or qualification, whether it does or does not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information, and if so specified or negatived, no proof in relation to the matters so specified or negatived shall be required on the part of the informant or prosecutor:

The court of summary jurisdiction, when hearing, trying, determining, and adjudging an information or complaint in respect of any offence or matter arising under this Act, shall be constituted either of two or more justices of the peace in petty sessions, or of some magistrate or officer sitting alone or with others at some court or other place appointed for the administration of justice, and for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace.

Application of penalties recovered under the Act.

12. Any moneys arising from fees or fines under this Act shall be paid to the account of the local rate, and be applied to the purposes to which that rate is applicable.

Exceptions from provisions of Act.

13. The provisions of this Act shall not extend to the relatives or guardians of any infant retained or received as aforesaid, nor to institutions established for the protection or care of infants, nor to any person receiving any infant for the purpose of nursing or maintaining such infant under the provisions of any Act for the relief of the poor.

Act subject to certain provisions in its application to Scotland.

14. This Act shall, in its application to Scotland, be subject to the following provisions:

1. The expression "crime and offence" shall be equivalent to the expression "offence," and shall be substituted therefor:
2. For a coroner's inquest shall be substituted an inquiry by the procurator fiscal of the county into the cause of death:
3. The expenses of an inquiry by a procurator fiscal under this Act shall be defrayed out of the same funds as the expenses of an inquiry by him in a case of sudden death:
4. The court of summary jurisdiction, when hearing, trying, determining, and adjudicating an information or complaint in respect of any offence or matter arising under this Act, shall be constituted of a sheriff or sheriff substitute.

Commencement of Act.

15. This Act shall commence on the first day of November one thousand eight hundred and seventy-two.

Short title.

16. This Act may be cited as "The Infant Life Protection Act, 1872."

THE FIRST SCHEDULE referred to in the foregoing Act.

ENGLAND.

District.	Local Rate.	Local Jurisdiction.	Local Authority.
Counties, except the metropolis and city of London.	The county rate or rate in the nature of a county rate.	Petty sessional division.	Justices in petty sessions.
The metropolis -	Rate or fund applicable to the payment of the general expenses of the board.	Area of the metropolis.	The Metropolitan Board of Works.
City of London and the liberties thereof.	Consolidated sewers rate.	Area of the city of London and the liberties thereof.	Common Council.
Boroughs - -	The borough fund or borough rate.	Area of borough -	Council.

"County" shall not include a county of a city or county of a town, but shall include any riding, division, parts, or liberty of a county having a separate commission of the peace.

Where a county or liberty of a county having a separate commission of the peace is not divided into petty sessional divisions, such county or liberty of a county shall itself for the purposes of this Act be deemed to be a petty sessional division of the county by which it is constituted or in which it is geographically situate.

"The metropolis" shall include all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate, exclusive of the city of London and the liberties thereof.

"Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act made to provide for the Regulation of Municipal Corpora-"tions in England and Wales," and having a separate court of quarter sessions.

Every place that is not, according to the foregoing definitions, a borough, a county, or part of the metropolis, or city of London, or the liberties thereof, shall be deemed to form part of the county, as herein-before defined, to the county rate of which it is assessed, or, if not so assessed, of the county within which it is situate.

SCOTLAND.

District.	Local Rate.	Local Jurisdiction.	Local Authority.
Counties - -	The county general assessment.	Area subject to the county general assessment.	Justice of peace.
Burghs, royal or parliamentary, not subject to the separate jurisdiction of police commissioners or trustees.	The revenue or common good of the burgh or any rate leviable by the town council.	Area of the burgh -	Town Council.
Burghs and places where police commissioners or trustees exercise the functions of police commissioners or trustees under any general or local Act.	Any rate leviable by the commissioners or trustees, or any fund belonging to them.	Area within the boundaries of the burgh or place as defined under the general local Act.	The commissioners or trustees.

IRELAND.

District.	Local Rate.	Local Jurisdiction.	Local Authority.
Towns corporate -	The borough rate or borough fund.	Area of borough -	Town Council.
Towns having commissioners appointed by virtue of an Act made in the ninth year of the reign of George the Fourth intituled "An Act "to make provision "for the lighting, "cleansing, and "watching of cities "and towns corpo- "rate and market "towns in Ireland "in certain cases."	Any rate leviable by the commissioners.	Area of town -	The Commissioners.
Towns having town commissioners under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 103.), or under any other local Act.		Area of town -	The Commissioners.
Townships having commissioners under local Acts.		Area of township -	The Commissioners.
Places in Ireland not included in the foregoing descriptions.	The grand jury cess -	Area of petty sessional district in which the place is situate.	The petty sessions for the district in which the place is situate.

THE SECOND SCHEDULE referred to in the foregoing Act.

REGISTER OF INFANTS.

Date at which received.	Name.	Sex.	Age.	Name and Address of Person from whom received.	Date at which removed.	Name and Address of Person by whom removed.

CHAPTER 39.

An Act for amending the Law in certain cases in relation to Naturalization. [25th July 1872.]

WHEREAS by a Convention between Her Majesty and the United States of America, supplementary to the Convention of the thirteenth day of May one thousand eight hundred and seventy, respecting naturalization, and signed at Washington on the twenty-third day of February one thousand eight hundred and seventy-one, and a copy of which is contained in the schedule to this Act, provision is made in relation to the renunciation by the citizens and subjects therein mentioned of naturalization or nationality in the presence of the officers therein mentioned:

And whereas doubts are entertained whether such provisions are altogether in accordance with the Naturalization Act, 1870: And whereas other doubts have arisen with respect to the effect of "The Naturalization Act, 1870," on the rights of women married before the passing of that Act; and it is expedient to remove such doubts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Naturalization Act, 1872, and this Act and "The Naturalization Act, 1870," may be cited together as "The Naturalization Acts, 1870 and 1872."

Confirmation of renunciation of nationality under the Convention.

2. Any renunciation of naturalization or of nationality made in manner provided by the said supplementary Convention by the persons and under the circumstances in the said Convention in that behalf mentioned shall be valid to all intents, and shall be deemed to be authorised by the said Naturalization Act, 1870. This section shall be deemed to take effect from the date at which the said supplementary Convention took effect.

Saving clause as to property of married women.

3. Nothing contained in "The Naturalization Act, 1870," shall deprive any married woman of any estate or interest in real or personal property to which she may have become entitled previously to the passing of that Act, or affect such estate or interest to her prejudice.

SCHEDULE.

CONVENTION between Her Majesty and the United States of America, supplementary to the Convention of May 13, 1870, respecting Naturalization.

Signed at Washington, 23d February 1871.

[*Ratifications exchanged at Washington, May* 4, 1871.]

Whereas by the second article of the Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of America for regulating the citizenship of subjects and citizens of the contracting parties who have emigrated or may emigrate from the dominions of the one to those of the other party, signed at London, on the 13th of May 1870, it was stipulated that the manner in which the renunciation by such subjects and citizens of their naturalization, and the resumption of their native allegiance, may be made and publicly declared, should be agreed upon by the governments of the respective countries; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the President of the United States of America, for the purpose of effecting such agreement, have resolved to conclude a supplemental Convention, and have named as their plenipotentiaries, that is to say; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Edward Thornton, Knight Commander of the Most Honourable Order of the Bath, and Her Envoy Extraordinary and Minister Plenipotentiary to the United States of America; and the President of the United States of America, Hamilton Fish, Secretary of State; who have agreed as follows:

ARTICLE I.

Any person being originally a citizen of the United States who had, previously to May 13, 1870, been naturalized as a British subject, may at any time before August 10, 1872, and any British subject who, at the date first aforesaid, had been naturalized as a citizen within the United States, may at any time before May 12, 1872, publicly declare his renunciation of such naturalization by subscribing an instrument in writing, substantially in the form hereunto appended, and designated as Annex A.

Such renunciation by an original citizen of the United States, of British nationality, shall, within the territories and jurisdiction of the United States, be made in duplicate, in the presence of any court authorized by law for the time being to admit aliens to naturalization, or before the clerk or prothonotary of any such court: if the declarant be beyond the territories of the United States, it shall be made in duplicate, before any diplomatic or consular officer of the United States. One of such duplicates shall remain of record in the custody of the court or officer in whose presence it was made; the other shall be, without delay, transmitted to the department of State.

Such renunciation, if declared by an original British subject, of his acquired nationality as a citizen of the United States, shall, if the

declarant be in the United Kingdom of Great Britain and Ireland, be made in duplicate, in the presence of a justice of the peace; if elsewhere in Her Britannic Majesty's dominions, in triplicate, in the presence of any judge of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorised by law, in the place in which the declarant is, to administer an oath for any judicial or other legal purpose; if out of Her Majesty's dominions, in triplicate, in the presence of any officer in the diplomatic or consular service of Her Majesty.

ARTICLE II.

The contracting parties hereby engage to communicate each to the other, from time to time, lists of the persons who, within their respective dominions and territories, or before their diplomatic and consular officers, have declared their renunciation of naturalization, with the dates and places of making such declarations, and such information as to the abode of the declarants, and the times and places of their naturalization, as they may have furnished.

ARTICLE III.

The present Convention shall be ratified by Her Britannic Majesty, and by the President of the United States by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged at Washington as soon as may be convenient.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Washington, the twenty-third day of February, in the year of our Lord one thousand eight hundred and seventy-one.

(L.S.) EDWD. THORNTON.
(L.S.) HAMILTON FISH.

ANNEX (A.)

I, *A.B.*, of (*insert abode*), being originally a citizen of the United States of America (*or a British subject*), and having become naturalized within the dominions of Her Britannic Majesty as a British subject (*or as a citizen within the United States of America*), do hereby renounce my naturalization as a British subject (*or citizen of the United States*); and declare that it is my desire to resume my nationality as a citizen of the United States (*or British subject*).

(Signed) *A.B.*

Made and subscribed before me
in (*insert country or other subdivision, and state province, colony, legation, or consulate*), this day of 187 .

(Signed) *E.F.*,
Justice of the Peace (*or other title*).

(L.S.) EDWD. THORNTON.
(L.S.) HAMILTON FISH.

CHAPTER 40.

An Act for continuing the Bishops Resignation Act, 1869. [6th August 1872.]

32 & 33 Vict. c. 111.

WHEREAS by section sixteen of the Bishops Resignation Act, 1869, it is enacted that that Act shall remain in force for two years, and further until the end of the then next ensuing session of Parliament:

And whereas it is expedient that the said Act should be continued:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of 32 & 33 Vict. c. 111.

1. The Bishops Resignation Act, 1869, shall continue and remain in force for three years from the end of this present session of Parliament, and if Parliament shall be then in session further until the end of such session; but notwithstanding the expiration thereof all matters and things made and done under the said Bishops Resignation Act, during its continuance under this Act, shall remain valid and effectual, and all payments consequential thereon shall continue to be made, as if the said Act so continued had not expired.

CHAPTER 41.

An Act to amend the Life Assurance Companies Acts, 1870 and 1871. [6th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Deposit by Company in Court of Chancery.

1. Whereas by the provisions of the "Life Assurance Companies Acts, 1870 and 1871," a life assurance company is required to pay a sum of money into the Court of Chancery by way of deposit, and the certificate of incorporation of such company is not to be issued unless such deposit has been made, and such deposit is to be returned to the company as soon as its life assurance fund amounts to the sum therein mentioned; and doubts have arisen as to the construction of the said provisions, and it is expedient to remove such doubts; be it therefore enacted as follows:

The said deposit may be made by the subscribers of the memorandum of association of the company, or any of them, in the name of the proposed company, and such deposit upon the incorporation of the company shall be deemed to have been made by and to be part of the assets of the company.

The said deposit shall, until returned to the company, be deemed to form part of the life assurance fund of the company, and shall be subject to the provisions of section four of the Life Assurance Companies Act, 1870, accordingly. The Board of Trade may from time to time make, and when made revoke, alter, or add to, rules with respect to the payment and repayment of the said deposit, the investment of or dealing with the same, the deposit of stocks or securities in lieu of money, and the payment of the interest or dividends from time to time accruing due on any such investment, stocks, or securities in respect of such deposit. Any rules made in pursuance of this section shall have effect as if they were enacted in this Act, and shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, or if not, within three weeks after the beginning of the then next session of Parliament.

Separation of life funds.

2. Whereas, by section four of the Life Assurance Companies Act, 1870, it is enacted that, "In the case of a company "established after the passing of this Act, transacting other "business besides that of life assurance, a separate account "shall be kept of all receipts in respect of the life assurance "and annuity contracts of the company, and the said receipts "shall be carried to and form a separate fund, to be called "the life assurance fund of the company, and such fund shall "be as absolutely the security of the life policy and annuity "holders as though it belonged to a company carrying on no "other business than that of life assurance, and shall not be "liable for any contracts of the company for which it would "not have been liable had the business of the company been "only that of life assurance;" and further provisions were made by the same section, with respect to the application of the above recited part of the said section to existing companies, and doubts have arisen with respect to the construction of the said provisions, and it is expedient to remove such doubts; be it therefore enacted,

That the portion of section four of the Life Assurance Companies Act, 1870, above recited shall apply to every company established before the passing of that Act, provided that the Life Assurance Companies Act, 1870, and this Act shall not diminish the liability of the life assurance fund for any contracts of the company entered into before the passing of the Life Assurance Companies Act, 1870.

Deposit of statement and abstract required by 33 & 34 Vict. c. 61. s. 10.

3. Whereas by section ten of the Life Assurance Companies Act, 1870, it is provided that "Every annual statement so "deposited after the next investigation shall be accompanied "by a printed copy of the abstract required to be made by "section seven;" be it therefore enacted, that the words "next "investigation" shall be construed to mean the first investigation after the passing of the said Act.

The Board of Trade shall lay before Parliament any statement or abstract of report which is deposited with them by any company, and purports to be in pursuance of the Life Assurance Companies Act, 1870, although the Board are of opinion that it is not such a statement or abstract as is required to be prepared by that Act.

Winding up of subsidiary company to be ancillary to winding up of principal company.

4. Where the business or any part of the business of a life assurance company has, either before or after the passing of this Act, been transferred to another company under an arrangement in pursuance of which such first-mentioned company (in this Act called the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this Act called the principal company), then, if such principal company is being wound up by or under the supervision of the court, either at or after the passing of this Act, the court shall (subject as herein-after mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the court necessary, with a view to such companies being wound up as if they were one company; and the commencement of the winding up of the principal company shall, save as otherwise ordered by the court, be the commencement of the winding up of the subsidiary company; the court nevertheless shall have regard, in adjusting the rights and liabilities of the members of the several companies between themselves, to the constitution of such companies, and to the arrangements entered into between the said companies, in the same manner as the court has regard to the rights and liabilities of different classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

Where any subsidiary company or company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is subsidiary, the court shall not direct such subsidiary company to be wound up unless after hearing all objections (if any) that may be urged by or on behalf of such company against its being wound up, the court is of opinion that such company is subsidiary to the principal company, and that the winding up of such company in conjunction with the principal company is just and equitable.

Where any subsidiary company and principal company are being wound up by different branches of the court, the court to which appeals from such branches lie shall make an order directing in which branch the winding up of such companies is to be carried on, and the necessary proceedings shall be taken for carrying such order into effect.

An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, such principal or subsidiary company.

Where a company stands in the relation of a principal company to one company, and in the relation of a subsidiary company to some other company, or where there are several companies standing in the relation of subsidiary companies to one principal company, the court may deal with any number of such companies together or in separate groups, as it thinks most expedient, upon the principles laid down in this section.

Valuation of annuities and policies.

5. Where a life assurance company is being wound up by the court, or subject to the supervision of the court, or voluntarily, the value of every life annuity and life policy requiring to be valued in such winding up shall be estimated in manner provided by the First Schedule to this Act, but this section shall not apply to any company the winding up of which has commenced before the passing of this Act, unless the court having cognizance of the winding up so order, which order that court is hereby empowered to make, if it think it expedient so to do, on the application of any person interested in the winding up of such company.

Rules in First and Second Schedules to be rules of Court.

6. The rules in the First and Second Schedules to this Act shall be of the same force as if they were rules made in pursuance of the one hundred and seventieth, one hundred and seventy-first, and one hundred and seventy-third sections of "The Companies Act, 1862," as the case may be, and may be altered in manner provided by the said sections, and rules may be made under the said sections for the purpose of carrying into effect the provisions of this Act with respect to the winding up of companies.

Regulation as to novations by policy holders.

7. Where a company, either before or after the passing of this Act, has transferred its business to or been amalgamated with another company, no policy holder in the first-mentioned company who shall pay to the other company the premiums accruing due in respect of his policy shall by reason of any such payment made after the passing of this Act, or by reason of any other act done after the passing of this Act, be deemed to have abandoned any claim which he would have had against the first-mentioned company on due payment of premiums to such company, or to have accepted in lieu thereof the liability of the other company, unless such abandonment and acceptance have been signified by some writing signed by him or by his agent lawfully authorised.

Construction and short title.

8. This Act shall be construed as one with the Life Assurance Companies Acts, 1870 and 1871; and those Acts

and this Act may be cited together as "The Life Assurance Companies Acts, 1870 to 1872;" and this Act may be cited as "The Life Assurance Companies Act, 1872."

FIRST SCHEDULE.

Rule for valuing an Annuity.

An Annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and where such tables cannot be ascertained or adopted to the satisfaction of the court, then according to the table known as the Government Annuities Experience Table, interest being reckoned at the rate of four per centum per annum.

Rule for valuing a Policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured on the decease of the life, including any bonus or addition thereto made before the commencement of the winding up and the present value of the future annual premiums.

In calculating such present values the rate of interest is to be assumed as being four per centum per annum, and the rate of mortality as that of the tables known as the seventeen offices experience tables.

The premium to be calculated is to be such premium as according to the said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

SECOND SCHEDULE.

Where an assurance company is being wound up by the court or subject to the supervision of the court, the official liquidator in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by such company, for life assurance, endowment, annuity, or other payment, is to ascertain the value of such policies, and give notice of such value to such persons, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in manner and within a time to be prescribed by a rule or order of the court.

CHAPTER 42.

An Act to amend an Act passed in the session of Parliament held in the sixteenth and seventeenth years of the reign of Her present Majesty for enabling Grand Juries in Ireland to borrow money from private sources on the security of Presentment, and for transferring to counties certain works constructed wholly or in part with public money.

[6th August 1872.]

WHEREAS by an Act passed in the session of Parliament holden in the sixteenth and seventeenth years of the reign of Her present Majesty, intituled "An Act for enabling "grand juries in Ireland to borrow money from private "sources on the security of Presentment, and for transferring "to counties certain works constructed wholly or in part "with public money," (herein-after called the principal Act,) provision was made for enabling the grand jury of any county, county of a city, or county of a town, at any assizes, or if in the county of Dublin at any presenting term, to present, in the manner and subject to the conditions in the said Act contained, any sum or sums of money for the purpose of any public work which by law it is or may be competent for them to present (the estimated cost of which shall not be less than one thousand pounds), in order to obtain advances by way of loan from parties willing to make such advances: 16 & 17 Vict. c. 136.

And whereas it is expedient to extend the provisions of the said Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

"Public work" in principal Act to include tolls.

1. The term "public work" for the purpose of which it is competent for any grand jury of any county, county of a city, or county of a town, under the provisions of the principal Act, to present any sum or sums of money, shall, as regards any presentment made or to be made under the authority of the said provisions, be deemed to include and shall include the purchase of tolls payable on any bridge upon which toll is charged situate in such county, or city, or town, or within five miles thereof, or any interest in, or any lien or encumbrance on, such tolls.

CHAPTER 43.

An Act to enable the Board of Trade to dispense with certain provisions of the Tramways Act, 1870, in respect of certain Provisional Orders.

[6th August 1872.]

WHEREAS, under the authority of the Tramways Act, 1870, the Board of Trade in the session of Parliament held in the year 1871 made the several Provisional Orders specified in Part I. of the Schedule A. to this Act annexed:

And whereas the said Orders were not confirmed by Parliament during the said session, but provision was made by the Metropolitan Tramways Provisional Orders Suspension Act, 1871, enabling the Promoters of any of such Orders to proceed with the same in the next session of Parliament; and by the said Act it was enacted, that, on proof to the satisfaction of the Board of Trade that the requirements contained in the Schedule to the said Act annexed had been duly complied with in relation to any of the said Orders by the Promoters, the Board of Trade might, as soon as they conveniently could after such proof of compliance as aforesaid, procure a Bill to be introduced into either House of Parliament for an Act to confirm such Provisional Order:

And whereas the promoters of the several Provisional Orders specified in Part I. of the Schedule A. to this Act annexed have complied, to the satisfaction of the Board of Trade, with the requirements contained in the schedule to the Metropolitan Tramways Provisional Orders Suspension Act, 1871:

And whereas under the authority of the Tramways Act, 1870, the Board of Trade in the present session of Parliament have made the several Provisional Orders specified in Part II. of the said Schedule A.:

And whereas the said Provisional Orders specified in Part I. and Part II. of the Schedule A. to this Act annexed have not been confirmed by Parliament, but it is expedient that provision should be made to enable the Promoters of any such Order to proceed with the same in the next session of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Proceedings with respect to Metropolitan Tramways Provisional Orders.

1. On proof to the satisfaction of the Board of Trade that the requirements contained in the Schedule B. to this Act annexed have been duly complied with in relation to any of the said Orders by the Promoters, the Board of Trade may, as soon as they conveniently can, after such proof of com-

pliance as aforesaid, procure a Bill to be introduced into either House of Parliament for an Act to confirm such Provisional Order, or so much thereof as the Promoters may determine to proceed with in the next session of Parliament, and such Bill shall be deemed to be a Bill introduced in pursuance of section fourteen of the Tramways Act, 1870, and the provisions of the said section shall, so far as the same are applicable, apply to such Bill.

As soon as conveniently may be after the passing of this Act, any money deposited in accordance with the provisions of the Tramways Act, 1870, and of the Metropolitan Tramways Provisional Orders Suspension Act, 1871, by the Promoters of any of the said Provisional Orders in respect of any tramway thereby authorised, shall be returned to such Promoters, and the Court of Chancery, acting by a Judge in Chambers or otherwise, upon production of a certificate purporting to be signed by a secretary or assistant secretary of the Board of Trade, to the effect that the Promoters are entitled to such deposit, shall order the same to be paid to the Promoters or as they shall direct.

2. This Act may be cited for all purposes as "The Metropolitan Tramways Provisional Orders Suspension Act, 1872." Short title.

SCHEDULE A.

PART I.

COMMON ROAD CONVEYANCE COMPANY'S WATFORD TRAMWAY.—Order authorising the construction of a Tramway upon the road from Watford to London.

LONDON STREET TRAMWAYS (CALEDONIAN ROAD EXTENSION).—Order authorising the London Street Tramways Company to construct Street Tramways from King's Cross to Camden Road, viâ Caledonian Road, in the county of Middlesex.

LONDON STREET TRAMWAYS (EXTENSIONS, &c).—Order authorising the London Street Tramways Company to construct additional Street Tramways in the counties of Middlesex and Surrey, and the city of London.

METROPOLITAN STREET TRAMWAYS (EXTENSIONS, &c.).—Order authorising the Metropolitan Street Tramways Company to extend their authorised Tramways into the city of London and to other places.

PIMLICO, PECKHAM, AND GREENWICH TRAMWAYS (EXTENSIONS).—Order authorising the Pimlico, Peckham, and Greenwich Street Tramways Company to extend their authorised Tramways.

SOUTHALL, EALING, AND SHEPHERDS BUSH TRAMWAY.—Order authorising the construction of a Tramway on the road from Southall to London, in the county of Middlesex.

WEST LONDON TRAMWAYS.—Order empowering the West London Tramways Company, Limited, to construct Tramways in and beyond the western districts of the Metropolis.

SOUTH-WESTERN SUBURBAN TRAMWAY.—Order authorising the construction of Tramways in the south-western district of the Metropolis.

PART II.

KEW AND RICHMOND.—Order authorising the construction of a Tramway from the Northern side of Kew Bridge to Richmond.

LONDON STREET TRAMWAYS.—Order authorising the London Street Tramways Company to construct Street Tramways in the parishes of St. Pancras and St. Mary, Islington, in the county of Middlesex.

TOTTENHAM AND EDMONTON.—Order authorising the construction of Street Tramways from Stamford Hill to Tottenham and Edmonton, in the county of Middlesex.

UXBRIDGE AND SOUTHALL, AND EALING AND BRENTFORD.—Order authorising the construction of Tramways on the roads between Uxbridge and Southall, and between Ealing and Brentford, in the county of Middlesex.

SCHEDULE B.

The Promoters of any Provisional Order intending to proceed with such Order, in pursuance of the provisions of this Act, shall, in the months of October or November 1872, publish once in the London Gazette, and once at least in two successive weeks in some one and the same newspaper circulating in the district affected by such Order, a notice of their intention to apply to the Board of Trade for the confirmation of such Order by Act of Parliament.

They shall also deposit at the office of the Board of Trade, on or before the 23rd December 1872,

(1.) Copies of the Gazette and newspapers containing such notice;

(2.) An estimate of the expense of the proposed works, signed by the person making the same.

The Promoters shall, on or before the 15th January 1873, pay as a deposit, in accordance with the provisions of the Tramways Act, 1870, and the Board of Trade rules made in pursuance thereof, a sum of money not less than four per cent. on the amount of the estimate of the cost of the proposed undertaking

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CHAPTER 44.

An Act to abolish the office of Accountant General of the High Court of Chancery in England, and to amend the law respecting the investment of money paid into that Court, and the security and management of the moneys and effects of the suitors thereof. [6th August 1872.]

WHEREAS it is expedient to abolish the office of the Accountant General of the High Court of Chancery in England, and to make provision respecting the transaction of

the business of the office of the said Accountant General, and the securing on the Consolidated Fund and managing the moneys, effects, and securities of the suitors of the said court.

And whereas the Commissioners acting under a commission issued by Her Majesty to inquire amongst other matters into the provisions for the custody and management of the stocks and funds of the Court of Chancery of England, and to suggest improvements therein, by their report, dated the seventeenth of February one thousand eight hundred and sixty-four, reported that it was expedient to establish a deposit account for suitors moneys in the Court of Chancery, and to allow to the suitors interest at the rate of two per cent. per annum upon the moneys belonging to them whilst in the custody of the court, but without depriving them of the right to require the investment thereof at any time on their own behalf and at their own risk:

And whereas it is expedient to provide for the establishment of such deposit account:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Preliminary.

Short title.

1. This Act may be cited as "The Court of Chancery (Funds) Act, 1872."

Commencement of Act.

2. This Act shall, save as regards the making of rules and general orders as herein-after mentioned, come into operation upon a day to be fixed by a rule to be made under this Act in that behalf, which day is herein-after referred to as the commencement of this Act, and as to the making of any rules and general orders thereunder this Act shall come into operation on the day of the passing thereof.

Definitions.

3. In this Act—

The term "the Treasury" means the Commissioners of Her Majesty's Treasury for the time being, or any two or more of them:

The term "Court of Chancery" means the High Court of Chancery of England, and includes the Lord Chancellor and any other judge intrusted with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind:

The term "order of the Court of Chancery" means such order, decree, report, certificate, or direction of the Court of Chancery as defined by this Act, or any judge or officer thereof, as may be prescribed by a rule made under this Act:

The term "general order of the Court of Chancery" means a general order made by the Lord Chancellor, either alone or with the assistance of other judges, and either in Chancery or in Lunacy:

The term "person" includes a body corporate and company:

The term "dividends" includes interest or other periodical produce:

The term "Government securities" means any annuities, exchequer bonds, exchequer bills, and other parliamentary securities of the Government of the United Kingdom:

The term "securities" includes Government securities, and any security of any foreign state, any part of Her Majesty's dominions out of the United Kingdom, or any body corporate or company, or standing in books kept by any body corporate, company, or person in the United Kingdom, and all stock funds and effects:

The term "securities in court" means any securities as defined by this Act standing or deposited in the name or to the credit or account of the Accountant General of the Court of Chancery or of the Paymaster General on behalf of the Court of Chancery, or placed to the credit of a cause, matter, or account in that Court:

The term "money in court" means any sum of money paid into the Bank of England with the privity of the Accountant General of the Court of Chancery or of the Paymaster General on behalf of the Court of Chancery, or placed to the credit of any cause, matter, or account in the Court of Chancery, and includes dividends on securities in court and interest on money on deposit.

Accountant General's Office.

Abolition of office of Accountant General of the Court of Chancery, and performance of duties by Paymaster General.

4. On the commencement of this Act the office of the Accountant General of the Court of Chancery shall be abolished, and Her Majesty's Paymaster General (in this Act referred to as the Paymaster General) for the time being shall perform all the duties and exercise all the powers and authorities which before the commencement of this Act were performed by or vested in or capable of being exercised by the Accountant General of the Court of Chancery: Provided that nothing in this Act shall render the Paymaster General incapable of being elected to or sitting or voting in the House of Commons, or cause a member of the House of Commons upon becoming Paymaster General to vacate his seat.

The Paymaster General may do any act, sign or execute any instrument, and exercise any authority required or authorised to be done, signed, executed, or exercised by him for the purposes of this Act, or any rule made thereunder, by a deputy or deputies appointed by him in writing under his hand.

Liability of Consolidated Fund for default of Paymaster General.

5. The Consolidated Fund of the United Kingdom shall be liable to make good to the suitors of the Court of Chancery all money in Court and all securities in court, whether the same have been paid, transferred, or deposited into or in court before or after the commencement of this Act, and all money and securities vested in the Paymaster General for the time being by or in pursuance of this Act; and if the Lord Chancellor, either with or without a representation made to him by any suitor of the Court of Chancery, certifies to the Treasury in writing that the Paymaster General has failed to pay any money in court, or transfer or deliver any securities in court, required by any order of the Court of Chancery to be paid, transferred, or delivered from his account, or has been guilty of any default with respect to such money or securities, the Treasury shall cause to be paid out of the growing produce of the Consolidated Fund into the Bank of England, to the credit of the Paymaster General for the time being on behalf of the Court of Chancery, such sum of money as may be certified by the Lord Chancellor in writing to be required to pay the money so required to be paid, or to replace the securities so required to be transferred or delivered or make good such default.

Construction of Acts, &c. referring to Accountant General.

6. Where under any Act (whether passed before or after the commencement of this Act), or otherwise, any money or securities would, if this Act had not passed, be capable of being paid, transferred, or deposited to or into or in the name of or to the account or credit of or with the privity of the Accountant General of the Court of Chancery, or the Accountant General of the Court of Exchequer, or to or into or in the Court of Chancery, the same shall after the commencement of this Act be paid, transferred, or deposited to the credit or account of or with the privity of the Paymaster General for the time being on behalf of the Court of Chancery, and shall be subject to the like trusts, orders, directions, powers, and provisions as if he were the Accountant General of the Court of Chancery or Court of Exchequer, as the case may be, and the orders of the Court of Chancery relating thereto shall have the same effect as the like orders of the Court of Chancery or Court of Exchequer would have had if this Act had not passed.

All Acts of Parliament, all rules and orders made in pursuance of any Act of Parliament, all general orders of the Court of Chancery, all orders of the Court of Chancery, and all instruments and proceedings of every description referring to the Accountant General of the Court of Chancery or Court of Exchequer, shall, subject to the provisions of this Act and of any rule made thereunder, be construed and put into execution as if the Paymaster General for the time being were therein named or referred to in place of such Accountant

General, so however that all money and securities shall be paid, transferred, or deposited to the credit or account of the Paymaster General for the time being on behalf of the Court of Chancery, and not into the name of the person who is such Paymaster General.

Provided that nothing in this section shall affect the Queen's Remembrancer, or the performance by him of any duties formerly performed by the Accountant General of the Court of Exchequer, or apply to any act, rule, order, instrument, or proceeding relating to such duties.

Framing of orders.

7. All general orders of the Court of Chancery, and all orders of the Court of Chancery, and all instruments and proceedings relative to business of the Court of Chancery to be transacted by the Paymaster General in pursuance of this Act (in this Act referred to as Chancery business) shall, after the commencement of this Act, be framed and expressed in such manner as may be necessary for carrying the provisions of this Act with respect to the Accountant General and Paymaster General into effect.

Office of Paymaster General for Chancery business.

8. The Treasury shall cause the Paymaster General to keep, in the neighbourhood of the place where the Court of Chancery ordinarily holds its sittings, an office for the purpose of carrying on Chancery business, and for making for the purpose of Chancery business payments of small amount in cash, and shall from time to time provide such clerks and officers as are necessary for conducting such business and making such payments.

Vesting of property in Paymaster General for time being. 12 G. 1. c. 32. s. 7. 54 G. 3. c. 14.

9. All securities and money vested in the Paymaster General in pursuance of this Act shall vest in the Paymaster General for the time being on behalf of the Court of Chancery without any conveyance, assignment, or transfer, notwithstanding the death or removal from office of the person who is Paymaster General, and shall be held by him in trust to attend the orders of the Court of Chancery, and all Acts done by the Paymaster General with reference to such securities and money in pursuance of an order of the Court of Chancery shall be valid and effectual.

Transfer of securities and receipt of dividends.

10. All securities from time to time transferred, standing, or deposited into, in, or to the account of the Paymaster General in pursuance of this Act, shall be held by the Paymaster General in trust in the several causes and matters in which such securities are transferred, standing, or deposited respectively, and shall not be transferred, sold, or delivered out except in pursuance of an order of the Court of Chancery, but the certificate of a registrar of the Court of Chancery or of a master or registrar in lunacy countersigned by the Paymaster General shall be sufficient evidence of the order referred to in the certificate, and of the directions contained in such

order, and shall be a necessary and sufficient authority to the Governor and Company of the Bank of England and every person for transferring on sale or otherwise or delivering out any securities standing in the books of or deposited with such bank or person to the credit or account of the Paymaster General for the time being on behalf of the Court of Chancery, and the securities directed by any such certificate to be transferred or delivered out shall be transferred or delivered out accordingly on behalf of the Paymaster General by some officer of such bank or person.

The Governor and Company of the Bank of England shall, by one of their cashiers or some other proper officer, from time to time receive all dividends accruing due on all securities which are standing to the account of the Paymaster General for the time being on behalf of the Court of Chancery, of which a certificate has been sent to them by the Paymaster General, and shall also receive any principal money payable in respect of any of such securities, and the said certificate shall be a sufficient authority to them to receive such dividends and principal money; and any receipt given by the said Governor and Company, or one of their cashiers or other proper officer, for any dividends on any securities standing to the said account, or any principal money payable in respect of any such securities, shall be a good discharge for the same; and the said Governor and Company shall place all money received by them in pursuance of this section to the credit of the Paymaster General for the time being, on behalf of the Court of Chancery.

Application of 16 & 17 Vict. c. 59. to cheques, &c. of Paymaster General.

11. Section nineteen of the Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter fifty-nine, intituled "An Act to repeal certain stamp "duties, and to grant others in lieu thereof, to amend the "laws relating to stamp duties, and to make perpetual "certain stamp duties in Ireland," (which section relates to the endorsement of drafts or orders drawn upon bankers for the payment of money,) shall extend to any document issued by the Paymaster General in pursuance of this Act, which authorises the payment of money.

Forgery of signature of Paymaster General or his deputy. 24 & 25 Vict. c. 98. s. 33.

12. The provisions of the Act of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-eight, intituled "An Act to consolidate and amend the "Statute Law of England and Ireland relating to indictable "offences by forgery," which have reference to the forging or altering of any instrument made or purporting to be made by the Accountant General of the Court of Chancery, shall apply to every instrument made, signed, or countersigned, or purporting to be made, signed, or countersigned, by the Paymaster General, or any deputy, clerk, or officer of the Paymaster General, and to the forgery and alteration of any signature or

countersignature of such Paymaster General, deputy, clerk, or officer.

Indemnity to Bank of England.

13. Nothing in this Act shall be deemed to require the Governor and Company of the Bank of England to keep the account of the Paymaster General on behalf of the Court of Chancery causewise, and the Governor and Company of the Bank of England are hereby indemnified for all acts and things done or permitted to be done in pursuance of this Act, or of any rule purporting to be made thereunder, or of any order of the Court of Chancery made or purporting to be made in pursuance of this Act or of any such rule, or done or permitted to be done in pursuance of any certificate signed and countersigned as directed by this Act, and such Acts and things respectively shall not be questioned or impeached in any court of law or equity to the detriment of such Governor and Company.

Deposit Account.

Establishment of suitors deposit account.

14. Save as otherwise provided by any rule made under this Act, all money in court paid in either before or after the commencement of this Act shall, subject to the provisions of this Act and of any rule made thereunder, be placed on deposit, and in the case of money in court paid in after the commencement of this Act without any application or request for that purpose, and when so placed on deposit shall bear interest at the rate of two per cent. per annum together with any income tax chargeable thereon.

Any money which may at any time be standing to the credit of the Paymaster General on behalf of the Court of Chancery beyond the amount which the Paymaster General considers to be required for meeting current demands shall be placed in the hands of the Commissioners for the Reduction of the National Debt, who shall from time to time pay to the credit of the Paymaster General on behalf of the Court of Chancery such sum as, with the money to the like credit, may be certified by him to be required to meet current demands, and the Consolidated Fund of the United Kingdom shall be liable to make good all money so placed in the hands of the Commissioners for the Reduction of the National Debt, and the interest payable on sums placed on deposit, in like manner as it is liable to make good money in court.

Saving for investments made under order of court.

15. Any money in court paid in either before or after the commencement of this Act which under any general order of the Court of Chancery or rule under this Act, or under an order of the Court of Chancery, is required to be laid out in any particular investment, shall, subject to any rule made under this Act, be so laid out notwithstanding anything in this Act.

Conversion of stock and transfer of value thereof to deposit account.

16. Where any securities, whether transferred, deposited, or purchased before or after the commencement of this Act, are standing to the account of the Paymaster General for the time being on behalf of the Court of Chancery, an order of the Court of Chancery made in the cause or matter in which such securities are standing may, if it be deemed expedient, direct the same to be converted into cash, and also direct such cash to be placed on deposit as money in court.

Where such order refers to Government securities, such securities shall, unless it is otherwise directed by such order, be transferred to the Commissioners for the Reduction of the National Debt and be deemed to be so transferred as at the value on the day of such transfer, ascertained as prescribed by a rule under this Act, and on such transfer taking place such value shall be deemed to be money placed in the hands of the said Commissioners, and the securities so transferred shall be deemed to be securities purchased by the Commissioners with the money so placed in their hands.

Application of money placed in the hands of the Commissioners for the Reduction of the National Debt.

17. The Commissioners for the Reduction of the National Debt, subject to the directions of the Treasury, shall from time to time invest all money placed in their hands in pursuance of this Act in Government securities, and shall, out of the dividends arising on the securities purchased with money so placed in their hands, and on the securities (if any) purchased with the accumulation of such dividends, pay the sums payable by them under this Act, and invest any residue thereof in Government securities, and may from time to time change any such securities into Government securities of another description of equivalent value.

If at any time the money in the hands of the Commissioners for the Reduction of the National Debt under this Act is insufficient to pay the amount payable by them in pursuance of this Act, the Treasury either shall direct the said Commissioners to realise a sufficient portion of the securities so purchased as aforesaid, and apply the proceeds of such realisation in paying the amount so payable by them, or shall cause the required sum to be issued to the said Commissioners out of any money applicable to the sinking fund, or out of the growing produce of the Consolidated Fund.

Rules and Accounts.

Rules for regulating proceedings. See 12 G. 1. c. 32. and 32 & 33 Vict. c. 91.

18. The Lord Chancellor, with the concurrence of the Treasury, may from time to time make rules for carrying this Act into effect, and regulating the deposit, payment, delivery, and transfer in, into, and out of the Court of Chancery of money and securities which belong to the suitors of that Court, or are otherwise capable of being deposited in or paid or transferred into that Court, or in or into the Bank of England with the privity of the Paymaster General, or are under the custody of the Court of Chancery, and the evidence of such

deposit, payment, delivery, or transfer, and the investment of and other dealing with money and securities in court in pursuance of the orders of the Court of Chancery, and the execution of the orders of the Court of Chancery and the powers and duties of the Paymaster General with reference to such money and securities, and in particular for doing all or any of the following things:

(1.) Carrying into effect the transfer of the office of the Accountant General to the Paymaster General:

(2.) Regulating the mode in which the Paymaster General is to deal with money and securities in pursuance of the orders of the Court of Chancery, and the mode in which effect is to be given to an order of the Court of Chancery which is to be executed by or through the office of the Paymaster General for Chancery business, and generally the arrangements between that office and the Court of Chancery and the officers thereof, and the certificates and information to be given by the Paymaster General with reference to Chancery business:

See 12 G. 1. c. 32. ss. 3-6.

(3.) Regulating the deposit, payment, sale, transfer, and delivery, with, to, and by the Paymaster General of the said money and securities, and the proceedings, evidence, and duties of persons in relation thereto:

(4.) Determining the mode of ascertaining the value of Government securities transferred to the Commissioners for the Reduction of the National Debt, or otherwise ordered to be dealt with by the Paymaster General:

(5.) Regulating the placing on and withdrawal from deposit of money in court, whether paid in before or after the commencement of this Act, and the payment or crediting of interest on money placed on deposit:

(6.) Determining the smallest amount which is to be invested in securities, unless directed to be vested notwithstanding the smallness of the amount, and determining the smallest amount which is to be placed or remain on deposit, and the smallest amount of money on deposit on which interest in pursuance of this Act is to be credited to an account to which money placed on deposit belongs:

(7.) Determining the time at which money in court is to be placed on deposit, and at which interest on money so placed on deposit is to begin and cease, and the mode of computing such interest:

(8.) Determining the cases in which interest on money placed on deposit, and the dividends on any securities standing to the account of the Paymaster General on behalf of the Court of Chancery, is or are to be placed on deposit:

(9.) Dealing with accounts on which the balance of money and securities together is less than five pounds, and providing for the periodical publication of a list of the accounts not dealt with for a period of at least fifteen years:

(10.) Regulating the mode of framing and expressing orders of the Court of Chancery, instruments and proceedings relative to the Chancery business of the Paymaster General:

(11.) Abrogating any general orders of the Court of Chancery relative to the matters aforesaid:

(12.) Revoking and altering any rules previously made.

Every rule purporting to be made in pursuance of this section shall come into operation at the date of such rule or any later date therein in that behalf mentioned, and have effect as if it were enacted in this Act.

General orders.

19. The Lord Chancellor, with the advice and assistance as regards lunacy of the Lords Justices of the Court of Appeal in Chancery, or one of them, and as regards Chancery of the Master of the Rolls, the said Lords Justices, and the Vice-Chancellors, or any two of them, may from time to time make general orders for regulating the procedure and practice of the Court of Chancery for the purpose of carrying into effect this Act and any rules made thereunder, and may from time to time revoke and alter any orders previously made under this section. Every such order shall have effect as a general order of the Court of Chancery.

Laying of rules and general orders before Parliament.

Every rule and general order purporting to be made in pursuance of this Act shall immediately after the making thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting within seven days after the then next meeting of Parliament; and if either House of Parliament, by a resolution passed within one month after such rule or general order has been so laid before the said House, resolve that the whole or any part of such rule or general order ought not to continue in force, the same shall, after the date of such resolution, cease to be of any force, without prejudice nevertheless to the making of any other rule or general order in its place, or to anything done in pursuance of such rule or general order before the date of such resolution; but, subject as aforesaid, every such rule or general order purporting to be made in pursuance of this Act shall after the expiration of the said month be deemed to have been duly made, and to have been within the powers of this Act.

Accounts and audit.

20. The Treasury shall cause to be kept by such persons and in such manner as they may from time to time direct accounts for the purposes of this Act, including all such accounts as may be necessary for carrying into effect the

orders of the Court of Chancery, and shall cause separate accounts to be kept of the transactions under this Act of the Paymaster General and the Commissioners for the Reduction of the National Debt, and of the liability of the Consolidated Fund under this Act, and shall cause all accounts kept in pursuance of this section, or such of them as the Treasury may from time to time think practicable, to be audited as public accounts in such manner as the Treasury may from time to time direct, by or under the direction of the Controller and Auditor General: Provided that no question need be raised in such audit with respect to transactions before the commencement of this Act, or such later date as the Treasury may direct.

Every minute of the Treasury containing any direction with respect to the audit of such accounts shall be laid before both Houses of Parliament within one month after it is made, if Parliament be then sitting, or if Parliament be not then sitting within one month after the then next meeting of Parliament.

The Controller and Auditor General shall in every year prepare and send to the Treasury a report on the accounts audited by him in pursuance of this Act, together with a balance sheet of the receipts and expenditure during that year of the Paymaster General on behalf of the Court of Chancery, and the Treasury shall cause such report and balance sheet, together with a general statement of the securities and money in court, to be sent to the Lord Chancellor and laid before both Houses of Parliament.

Buildings.

Transfer of buildings. 15 G. 3. c. 22. 15 G. 3. c. 56. 5 & 6 Vict. c. 103. s. 29. 28 & 29 Vict. c. 48. s. 23. See 52 G. 3. c. liv. (L. & P.) s. 4.

21. All land and buildings vested in the Accountant General of the Court of Chancery upon trust for the offices of the Accountant General and Registrars or otherwise in trust for any offices of the Court of Chancery, and all land and buildings purchased as additions to the office of the Accountant General or the Registrars, whether vested in the Accountant General or in Her Majesty, shall on the commencement of this Act vest in the Commissioners of Her Majesty's Works and Public Buildings, as incorporated by the Act of the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter twenty-eight, intituled "An "Act to amend an Act of the fourteenth and fifteenth years "of Her present Majesty for the direction of public works "and buildings, and to vest the buildings appropriated for "the accommodation of the supreme courts of justice in "Edinburgh in the Commissioners of Her Majesty's Works "and Public Buildings," to be held by them for the public service, as if they were lands and buildings vested in them by that Act, and discharged, except as mentioned in this

section, from all subsisting trusts declared with respect thereto: Provided that—

(1.) The said Commissioners shall not take possession of any part or parts of the said land and buildings that are at the commencement of this Act occupied for legal purposes until the Lord Chancellor certifies to the said Commissioners in writing that in his opinion such part or parts is or are no longer required for such purposes:

(2.) The said Commissioners shall hold the said land and buildings subject to the provisions of section twenty-three of the Courts of Justice Building Act, 1865, or such of them as may be applicable thereto. 28 & 29 Vict. c. 48.

Temporary Provisions.

Pension to present Accountant General.

22. The person who at the passing of this Act is the Accountant General of the Court of Chancery shall, after the commencement of this Act, receive during his life by way of retiring pension such amount as the Lord Chancellor shall, with the approval of the Treasury, deem proper under the special circumstances of the case, provided that such amount shall not exceed the present salary and emoluments of the said office.

Existing officers of Accountant General.

23. All clerks and officers who at the commencement of this Act are attached to the office of the Accountant General of the Court of Chancery, shall, on the commencement of this Act, be transferred to the office of the Paymaster General for Chancery business, and shall hold their offices under the Treasury upon the like terms and conditions as to rank, promotion, tenure, salaries, and pensions (if any), as at the commencement of this Act they held the same under the Accountant General or the Lord Chancellor, but subject to the directions of the Treasury they shall be under the control of the Paymaster General in like manner as other clerks and officers in the office of the Paymaster General, and shall perform such duties in relation to any business in that office as the Treasury may from time to time direct.

Transfer of securities to Paymaster General and alteration of accounts at Bank of England, &c.

24. On the commencement of this Act all securities and money (except the Bank annuities herein-after directed to be transferred to the Commissioners for the Reduction of the National Debt, and the dividends on such annuities,) then vested in the Accountant General of the Court of Chancery as such, and all books and property appertaining to the office of the said Accountant General shall, without any conveyance, assignment, or transfer, and without any draft from the said Accountant General or act to be done by him, vest in the Paymaster General; and the Governor and Company of the Bank of England and all other persons shall make such altera-

tions in any books kept by them as may be directed by the Treasury for the purpose of substituting the account of the Paymaster General for the time being on behalf of the Court of Chancery for the name of the Accountant General of the Court of Chancery. Such of the books containing the accounts of the suitors of the Court of Chancery, which in pursuance of any Act of Parliament have been kept in the Chancery Office at the Bank of England, as the Treasury may from time to time require, shall be delivered to such person in such manner and under such regulations and upon such terms as may be agreed on between the Treasury and the Governor and Company of the Bank of England.

Provision as to certain slave compensation funds standing in the name of the Accountant General.

25. Whereas under the provisions of the Acts specified in Schedule One to this Act certain sums awarded for compensation for slaves upon the abolition of slavery, which were subject to claims or proceedings before the courts of judicature in the colonies, or before any court or courts of judicature or of appeal in the United Kingdom, were paid over to the Accountant General of the Court of Chancery and invested by him in three per cent. consolidated Bank annuities, or were transferred into the name of the Accountant General in equivalent amounts of three pounds ten shillings per cent. reduced Bank annuities, but all dividends on the said Bank annuities have since the passing of the Act of the session of the fourth and fifth years of the reign of Her present Majesty, chapter eighteen, ceased to be applied to augment the capital of the said annuities, and have been from time to time by warrant from the Treasury paid over to the Commissioners for the Reduction of the National Debt.

And whereas certain of the said sums of Bank annuities have not been dealt with for many years, and are still standing in the name of the Accountant General of the Court of Chancery, but are subject to any claims made in pursuance of any decree, order, or judgment of the court in which such proceedings are pending: Be it therefore enacted, that as soon as may be after the commencement of this Act the Treasury shall issue their warrant to the Governor and Company of the Bank of England, requiring them to transfer to the account of the Commissioners for the Reduction of the National Debt all sums of Bank annuities and cash which may be standing in the name of the said Accountant General to the credit of any account in pursuance of the Acts mentioned in Schedule One to this Act, and all dividends which may then be due on any such Bank annuities, and the Governor and Company of the Bank of England shall make the transfer so required, and thereupon such sums of Bank annuities shall be cancelled by some officer of the said Governor and Company, and the Commissioners for the Reduction of the National Debt shall apply all cash transferred to them in pursuance

of this section in reduction of the National Debt in the same manner as if such cash were a surplus of the annual revenue.

The Consolidated Fund shall, to the same extent as the Bank annuities so transferred, be liable to make good all sums required to meet the claims on such annuities under any decree, order, or judgment of any court, and the Treasury shall from time to time cause to be issued to the Paymaster General out of the growing produce of the Consolidated Fund such sums as may be required for the purposes of this section, but not to any greater amount than the value of the Bank annuities at the date of such issue, ascertained as directed by a rule under this Act made with respect to securities transferred to the Commissioners for the Reduction of the National Debt; and every court may make the like order with respect to such Bank annuities as it might have done if this Act had not passed.

Repeal.

Repeal of Acts.

26. The Acts specified in the first part of Schedule Two to this Act are hereby repealed, and the Acts specified in the second part of the same schedule are hereby repealed to the extent in the third column in that part of the schedule mentioned.

Provided that this repeal shall not—

(1.) Affect anything done or suffered before the commencement of this Act, or any right acquired or accrued before the commencement of this Act, or any order made before the commencement of this Act, under the said Acts or any of them, or revive any office or right thereby abolished; or,

(2.) Affect the title to, or estate in, any land purchased in pursuance of the said Acts or any of them, or the application of any compensation money paid in respect of such land, or any easements or privileges, or payable under the Acts mentioned in Schedule One to this Act; or,

(3.) Affect the right of any person to receive or obtain such salary, compensation, retiring annuity, pension, superannuation allowance, or emolument as he might have received or obtained if this Act had not passed, or the duty of any person to perform, if required, the same acts or duties as he might have been required to perform if this Act had not passed.

SCHEDULES.

SCHEDULE ONE.

ACTS RELATING TO SLAVE COMPENSATION.

Session and Chapter.	Title of Act.
3 & 4 Will. 4. c. 73.	An Act for the abolition of slavery throughout the British colonies, for promoting the industry of the manumitted slaves, and for compensating the persons hitherto entitled to the services of such slaves.
5 & 6 Will. 4. c. 45.	An Act to carry into further execution the provisions of an Act passed in the third and fourth years of His present Majesty for compensating owners of slaves upon the abolition of slavery.
6 & 7 Will. 4. c. 5.	An Act for carrying into further execution two Acts of His present Majesty relating to the compensation for slaves upon the abolition of slavery, and for facilitating the distribution and payment of such compensation.
6 & 7 Will. 4. c. 82.	An Act to carry into further execution an Act for compensating owners of slaves upon the abolition of slavery, and for completing the full payment of such compensation.
4 & 5 Vict. c. 18.	An Act to make further provision for facilitating and completing the distribution and payment of compensation for slaves upon the abolition of slavery.

SCHEDULE TWO.

Portions of Acts which have already been specifically repealed are included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

PART I.

ACTS WHOLLY REPEALED.

Session and Chapter.	Title of Act.
12 Geo. 1. c. 32. -	An Act for better securing the moneys and effects of the suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds and indorsements thereon, as likewise indorsements on South Sea Bonds.
12 Geo. 1. c. 33. -	An Act for relief of the suitors of the High Court of Chancery.
32 Geo. 3. c. 42. -	An Act to empower the High Court of Chancery to lay out a further sum of the suitors money upon proper securities, and for applying the interest towards discharging the expenses of the office of the Accountant General, and for building offices for the Masters in Ordinary in Chancery, and a public office for the suitors of the said Court, and offices for the secretaries of bankrupts and lunatics, and for building repositories for securing the title deeds of the suitors of the said Court, and the records and proceedings of the Commissioners of Bankrupts and Lunatics.
37 Geo. 3. c. 135.	An Act to explain and amend an Act passed in the thirty-sixth year of His Majesty's reign, intituled "An Act for repealing certain duties "on legacies and shares of personal estate, and for granting other "duties thereon in certain cases."

Session and Chapter.	Title of Act.
52 Geo. 3. c. liv. (Local.)	An Act for making further provision for the clerks in the office of the Accountant General of the Court of Chancery after a certain length of service.
54 Geo. 3. c. 14.	An Act to provide that property vested in the Accountant General of the High Court of Chancery as such shall upon his death, removal, or resignation, vest from time to time in those who shall succeed to the office.
55 Geo. 3. c. lxiv. (Local.)	An Act for making further provision for the secretary and usher to the Vice-Chancellor of England, and for the clerks in the office of the Accountant General of the High Court of Chancery, and for providing additional clerks for the said office.
58 Geo. 3. c. lxxx. (Local.)	An Act to provide additional salaries to the present clerks in the Report Office of the High Court of Chancery, and to provide additional clerks for the said office, and for making further provision for the clerks in the said office.
59 Geo. 3. c. xxvii. (Local.)	An Act to alter and amend two Acts of His present Majesty's reign for making further provision for certain officers of the High Court of Chancery.
5 & 6 Will. 4. c. 45.	An Act to carry into further execution the provisions of an Act passed in the third and fourth years of His present Majesty for compensating owners of slaves upon the abolition of slavery.
6 & 7 Will. 4. c. 5.	An Act for carrying into further execution two Acts of His present Majesty relating to the compensation for slaves upon the abolition of slavery, and for facilitating the distribution and payment of such compensation.
6 & 7 Will. 4. c. 82.	An Act to carry into further execution an Act for compensating owners of slaves upon the abolition of slavery, and for completing the full payment of such compensation.
4 & 5 Vict. c. 18.	An Act to make further provision for facilitating and completing the distribution and payment of compensation for slaves upon the abolition of slavery.
9 & 10 Vict. c. 81.	An Act for regulating the deduction at the Bank of England of Income Tax Duty in respect of certain offices.

PART II.

ACTS PARTLY REPEALED.

A description of part of an Act is inclusive of the words and sections first or last mentioned, or referred to as forming the beginning or end of the portion described.

Portions of Acts not expressly repealed are sometimes excepted from repeal in this part of this schedule, although they may either wholly or in part have become obsolete or otherwise have ceased to be in force.

Session and Chapter.	Title of Act.	Extent of Repeal.
36 Geo. 3. c. 52.	An Act for repealing certain duties on legacies and shares of personal estates and for granting other duties thereon in certain cases.	So much of section thirty-two as requires the Accountant General to invest the money therein mentioned in the purchase of Three per Cent. Consolidated Bank Annuities or to give any certificate.
3 Geo. 4. c. 69.	An Act to enable the judges of the several Courts of Record at West-	Section one from the words, "for the Lord Chancellor"

Session and Chapter.	Title of Act.	Extent of Repeal.
3 Geo. 4. c. 69.—*cont.*	minster to make regulations respecting the fees of the officers, clerks, and ministers of the said Courts.	down to the words "Vice-Chancellor, respectively and," and so much of the rest of the Act as relates to that part of section one.
3 & 4 Will. 4. c. 73.	An Act for the abolition of slavery throughout the British colonies, for promoting the industry of the manumitted slaves, and for compensating the persons hitherto entitled to the services of such slaves.	Sections twenty-four to sixty.
5 Vict. c. 5.	An Act to make further provisions for the administration of justice.	Sections seven to sixteen, and section seventeen, from the words "shall on the fifteenth day of October," down to the words "and other proceedings," and sections fifty to fifty-five and fifty-seven.
10 & 11 Vict. c. 96.	An Act for better securing Trust Funds and for the relief of trustees.	Section three.
15 & 16 Vict. c. 80.	An Act to abolish the office of Master in Ordinary of the High Court of Chancery, and to make provision for the more speedy and efficient despatch of business in the said court.	Section fifty-nine.
15 & 16 Vict. c. 87.	An Act for the relief of the suitors of the High Court of Chancery.	The whole Act, except sections one, three to five, fifteen, sixteen, twenty-one, twenty-three to twenty-six; section twenty-nine, down to the words "better despatch of business;" and sections thirty-five, thirty-seven, thirty-eight, forty, forty-one, forty-two, forty-six, forty-seven, forty-nine, fifty-two, and fifty-five.
16 & 17 Vict. c. 98.	An Act for the further relief of the suitors of the High Court of Chancery.	The whole Act, except section eleven.
30 & 31 Vict. c. 87.	The Court of Chancery (Officers) Act, 1867.	Sections eleven and twelve.
32 & 33 Vict. c. 91.	The Courts of Justice (Salaries and Funds) Act, 1869.	Sections four to seven.

CHAPTER 45.

An Act to carry into effect a Treaty between Her Majesty and the United States of America.

[6th August 1872.]

WHEREAS a treaty between Her Majesty and the United States of America was signed at Washington on the eighth day of May one thousand eight hundred and seventy-one, and was duly ratified on the seventeenth day of June of that year, which, amongst other things, contained the articles set out in the schedule to this Act:

And whereas an Act intituled "An Act relating to the Treaty of Washington, 1871," has been passed by the Parliament of Canada for the purpose of carrying into operation the said articles:

And whereas an Act intituled "An Act relating to the Treaty of Washington, 1871," has been passed by the Legislature of Prince Edward's Island for the purpose of carrying into operation the said articles:

And whereas the Congress of the United States of America have not as yet passed any Act for carrying into operation on the part of the United States the said articles:

And whereas it is expedient to make provision by Act of Parliament for carrying into operation the said articles:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Suspension of Acts at variance with articles.

1. As soon as the law required to carry into operation, on the part of the United States of America, the articles set out in the schedule to this Act has been passed by the Congress of the United States, and come into force, all Acts of Parliament and laws which operate to prevent the said articles from taking full effect shall, so far as they so operate, be suspended and have no effect during the period mentioned in the article numbered thirty-three in the schedule to this Act.

Provision for extension of articles to Newfoundland.

2. Whenever the necessary laws have been passed by the Legislature of Newfoundland and approved by Her Majesty for carrying into operation the articles in the schedule to this Act so far as they relate to Newfoundland, it shall be lawful for the officer administering the government of Newfoundland, at any time during the suspension, in pursuance of this Act, of the above-mentioned Acts of Parliament and laws, by his proclamation, to declare that, after a time fixed in such proclamation for that purpose, this Act and the articles in the schedule to this Act shall extend, and the same accordingly

shall extend to Newfoundland, so far as they are applicable thereto.

Short title. **3.** This Act may be cited as "The Treaty of Washington Act, 1872."

SCHEDULE.

ARTICLES of the TREATY of WASHINGTON of the 8th May 1871 which are referred to in the foregoing Act.

ARTICLE XVIII.

It is agreed by the High Contracting Parties that, in addition to the liberty secured to the United States fishermen by the Convention between Great Britain and the United States, signed at London on the 20th day of October 1818, of taking, curing, and drying fish on certain coasts of the British North American Colonies therein defined, the inhabitants of the United States shall have, in common with the subjects of Her Britannic Majesty, the liberty, for the term of years mentioned in Article XXXIII. of this treaty, to take fish of every kind, except shell-fish, on the sea-coasts and shores, and in the bays, harbours, and creeks of the Provinces of Quebec, Nova Scotia, and New Brunswick, and the Colony of Prince Edward's Island, and of the several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish; provided that, in so doing, they do not interfere with the rights of private property, or with British fishermen, in the peaceable use of any part of the said coasts in their occupancy for the same purpose.

It is understood that the above-mentioned liberty applies solely to the sea fishery, and that the salmon and shad fisheries, and all other fisheries in rivers and the mouths of rivers, are hereby reserved exclusively for British fishermen.

ARTICLE XIX.

It is agreed by the High Contracting Parties that British subjects shall have, in common with the citizens of the United States, the liberty, for the term of years mentioned in Article XXXIII. of this treaty, to take fish of every kind, except shell-fish, on the eastern sea-coasts and shores of the United States north of the thirty-ninth parallel of north latitude, and on the shores of the several islands thereunto adjacent, and in the bays, harbours, and creeks of the said sea-coasts and shores of the United States and of the said islands, without being restricted to any distance from the shore, with permission to land upon the said coasts of the United States and of the islands aforesaid, for the purpose of drying their nets and curing their fish; provided that, in so doing, they do not interfere with the rights of private property, or with the fishermen of the United States, in the peaceable use of any part of the said coasts in their occupancy for the same purpose.

It is understood that the above-mentioned liberty applies solely to the sea fishery, and that salmon and shad fisheries, and all other fisheries in rivers and mouths of rivers are hereby reserved exclusively for fishermen of the United States.

ARTICLE XX.

It is agreed that the places designated by the Commissioners appointed under the first Article of the Treaty between Great Britain and the United States, concluded at Washington on the 5th of June 1854, upon the coasts of Her Britannic Majesty's dominions and the United States, as places reserved from the common right of fishing under that treaty, shall be regarded as in like manner reserved from the common right of fishing under the preceding Articles. In case any question should arise between the Governments of Her Britannic Majesty and of the United States as to the common right of fishing in places not thus designated as reserved, it is agreed that a Commission shall be appointed to designate such places, and shall be constituted in the same manner, and have the same powers, duties, and authority as the Commission appointed under the said first Article of the Treaty of the 5th of June 1854.

ARTICLE XXI.

It is agreed that, for the term of years mentioned in Article XXXIII. of this Treaty, fish oil and fish of all kinds, (except fish of the inland lakes, and of the rivers falling into them, and except fish preserved in oil,) being the produce of the fisheries of the Dominion of Canada, or of Prince Edward's Island, or of the United States, shall be admitted into each country, respectively, free of duty.

ARTICLE XXII.

Inasmuch as it is asserted by the Government of Her Britannic Majesty that the privileges accorded to the citizens of the United States under Article XVIII. of this Treaty are of greater value than those accorded by Articles XIX. and XXI. of this Treaty to the subjects of Her Britannic Majesty, and this assertion is not admitted by the Government of the United States; it is further agreed that Commissioners shall be appointed to determine, having regard to the privileges accorded by the United States to the subjects of Her Britannic Majesty, as stated in Articles XIX. and XXI. of this Treaty, the amount of any compensation which, in their opinion, ought to be paid by the Government of the United States to the Government of Her Britannic Majesty in return for the privileges accorded to the citizens of the United States under Article XVIII. of this Treaty; and that any sum of money which the said Commissioners may so award shall be paid by the United States Government, in a gross sum, within twelve months after such award shall have been given.

ARTICLE XXIII.

The Commissioners referred to in the preceding Article shall be appointed in the following manner, that is to say: one Commissioner shall be named by Her Britannic Majesty, one by the President of the United States, and a third by Her Britannic Majesty and the President of the United States conjointly; and in case the third Commissioner shall not have been so named within a period of three months from the date when this Article shall take effect, then the third Commissioner shall be named by the Representative at London of His Majesty the Emperor of Austria and King of Hungary. In case of the death, absence, or incapacity of any Commissioner, or

in the event of any Commissioner omitting or ceasing to act, the vacancy shall be filled in the manner herein-before provided for making the original appointment, the period of three months in case of such substitution being calculated from the date of the happening of the vacancy.

The Commissioners so named shall meet in the city of Halifax, in the Province of Nova Scotia, at the earliest convenient period after they have been respectively named, and shall, before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide the matters referred to them to the best of their judgment, and according to justice and equity; and such declaration shall be entered on the record of their proceedings.

Each of the High Contracting Parties shall also name one person to attend the Commission as its Agent, to represent it generally in all matters connected with the Commission.

ARTICLE XXIV.

The proceedings shall be conducted in such order as the Commissioners appointed under Articles XXII. and XXIII. of this Treaty shall determine. They shall be bound to receive such oral or written testimony as either Government may present. If either Party shall offer oral testimony, the other Party shall have the right of cross-examination, under such rules as the Commissioners shall prescribe.

If in the case submitted to the Commissioners either Party shall have specified or alluded to any report or document in its own exclusive possession, without annexing a copy, such Party shall be bound, if the other Party thinks proper to apply for it, to furnish that Party with a copy thereof; and either Party may call upon the other, through the Commissioners, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the Commissioners may require.

The case on either side shall be closed within a period of six months from the date of the organization of the Commission, and the Commissioners shall be requested to give their award as soon as possible thereafter. The aforesaid period of six months may be extended for three months in case of a vacancy occurring among the Commissioners under the circumstances contemplated in Article XXIII. of this Treaty.

ARTICLE XXV.

The Commissioners shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof, and may appoint and employ a Secretary and any other necessary officer or officers to assist them in the transaction of the business which may come before them.

Each of the High Contracting Parties shall pay its own Commissioner and Agent or Counsel; all other expenses shall be defrayed by the two Governments in equal moieties.

ARTICLE XXX.

It is agreed that, for the term of years mentioned in Article XXXIII. of this Treaty, subjects of Her Britannic Majesty may carry in British vessels, without payment of duty, goods, wares, or

merchandize from one port or place within the territory of the United States upon the St. Lawrence, the Great Lakes, and the rivers connecting the same, to another port or place within the territory of the United States as aforesaid: Provided, that a portion of such transportation is made through the Dominion of Canada by land carriage and in bond, under such rules and regulations as may be agreed upon between the Government of Her Britannic Majesty and the Government of the United States.

Citizens of the United States may for the like period carry in United States vessels, without payment of duty, goods, wares, or merchandize from one port or place within the Possessions of Her Britannic Majesty in North America, to another port or place within the said Possessions; Provided that a portion of such transportation is made through the territory of the United States by land carriage and in bond, under such rules and regulations as may be agreed upon between the Government of Her Britannic Majesty and the Government of the United States.

The Government of the United States further engages not to impose any export duties on goods, wares, or merchandize carried under this Article through the territory of the United States; and Her Majesty's Government engages to urge the Parliament of the Dominion of Canada and the Legislatures of the other Colonies not to impose any export duties on goods, wares, or merchandize carried under this Article; and the Government of the United States may, in case such export duties are imposed by the Dominion of Canada, suspend, during the period that such duties are imposed, the right of carrying granted under this Article in favour of the subjects of Her Britannic Majesty.

The Government of the United States may suspend the right of carrying granted in favour of the subjects of Her Britannic Majesty under this Article in case the Dominion of Canada should at any time deprive the citizens of the United States of the use of the canals in the said Dominion on terms of equality with the inhabitants of the Dominion, as provided in Article XXVII.

ARTICLE XXXI.

The Government of Her Britannic Majesty further engages to urge upon the Parliament of the Dominion of Canada and the Legislature of New Brunswick, that no export duty, or other duty, shall be levied on lumber or timber of any kind cut on that portion of the American territory in the State of Maine watered by the river St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the province of New Brunswick. And, in case any such export or other duty continues to be levied after the expiration of one year from the date of the exchange of the ratifications of this Treaty, it is agreed that the Government of the United States may suspend the right of carrying herein-before granted under Article XXX. of this Treaty for such period as such export or other duty may be levied.

ARTICLE XXXII.

It is further agreed that the provisions and stipulations of Articles XVIII. to XXV. of this Treaty, inclusive, shall extend to the Colony of Newfoundland, so far as they are applicable. But if the Imperial Parliament, the Legislature of Newfoundland, or the Congress of the

United States, shall not embrace the Colony of Newfoundland in their laws enacted for carrying the foregoing Articles into effect, then this Article shall be of no effect; but the omission to make provision by law to give it effect, by either of the Legislative Bodies aforesaid, shall not in any way impair any other Articles of this Treaty.

ARTICLE XXXIII.

The foregoing Articles XVIII. to XXV. inclusive, and Article XXX. of this Treaty, shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward's Island on the one hand, and by the Congress of the United States on the other. Such assent having been given, the said Articles shall remain in force for the period of ten years from the date at which they may come into operation, and further, until the expiration of two years after either of the High Contracting Parties shall have given notice to the other of its wish to terminate the same; each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterward.

CHAPTER 46.

An Act to make further provision for Arbitration between Masters and Workmen.

[6th August 1872.]

5 G. 4. c. 96.

WHEREAS by the Act of the fifth year of George the Fourth, chapter ninety-six, intituled "An Act to consolidate and amend the laws relative to the arbitration "of disputes between masters and workmen," herein-after referred to as the "principal Act," provision is made for the arbitration in a mode therein prescribed of certain disputes between masters and workmen:

And whereas it is expedient to make further provision for arbitration between masters and workmen:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

As to agreements under this Act.

1. The following provisions shall have effect with reference to agreements under this Act:

(1.) An agreement under this Act shall either designate some board, council, persons or person as arbitrators or arbitrator, or define the time and manner of appointment of arbitrators or of an arbitrator; and shall designate, by name or by description of office or otherwise, some person to be, or some person or persons (other than the arbitrators or arbitrator) to appoint an umpire in case of disagreement between arbitrators:

(2.) A master and a workman shall become mutually bound by an agreement under this Act (herein-after referred to as "the agreement") upon the master or his agent giving to the workman and the workman accepting a printed copy of the agreement:

Provided that a workman may, within forty-eight hours after the delivery to him of the agreement, give notice to the master or his agent that he will not be bound by the agreement, and thereupon the agreement shall be of no effect as between such workman and the master:

(3.) When a master and workman are bound by the agreement they shall continue so bound during the continuance of any contract of employment and service which is in force between them at the time of making the agreement, or in contemplation of which the agreement is made, and thereafter so long as they mutually consent from time to time to continue to employ and serve without having rescinded the agreement. Moreover, the agreement may provide that any number of days' notice, not exceeding six, of an intention on the part of the master or workman to cease to employ or be employed shall be required, and in that case the parties to the agreement shall continue bound by it respectively until the expiration of the required number of days after such notice has been given by either of the parties:

(4.) The agreement may provide that the parties to it shall, during its continuance, be bound by any rules contained in the agreement, or to be made by the arbitrators, arbitrator, or umpire as to the rate of wages to be paid, or the hours or quantities of work to be performed, or the conditions or regulations under which work is to be done, and may specify penalties to be enforced by the arbitrators, arbitrator, or umpire for the breach of any such rule:

(5.) The agreement may also provide that in case any of the following matters arise they shall be determined by the arbitrators or arbitrator, viz.:

a. Any such disagreement or dispute as is mentioned in the second section of the principal Act; or

b. Any question, case, or matter to which the provisions of the Master and Servant Act, 1867, apply;

and thereupon in case any such matter arises between the parties while they are bound by the agreement the arbitrators, arbitrator, or umpire shall have jurisdiction for the hearing and determination thereof, and upon their or his hearing and determining the same no other proceeding shall be taken before any

other court or person for the same matter; but if the disagreement or dispute is not so heard and determined within twenty-one days from the time when it arose, the jurisdiction of the arbitrators, arbitrator, or umpire shall cease, unless the parties have, since the arising of the disagreement or dispute, consented in writing that it shall be exclusively determined by the arbitrators, arbitrator, or umpire:

A disagreement or dispute shall be deemed to arise at the time of the act or omission to which it relates:

(6.) The arbitrators, arbitrator, or umpire may hear and determine any matter referred to them in such manner as they think fit, or as may be prescribed by the agreement:

(7.) The agreement, and also any rules made by the arbitrators, arbitrator, or umpire in pursuance of its provisions, shall in all proceedings as well before them as in any court be evidence of the terms of the contract of employment and service between the parties bound by the agreement:

(8.) The agreement shall be deemed to be an agreement within the meaning of the thirteenth section of the principal Act for all the purposes of that Act:

(9.) If the agreement provides for the production or examination of any books, documents, or accounts, subject or not to any conditions as to the mode of their production or examination, the arbitrators, arbitrator, or umpire may require the production or examination (subject to any such conditions) of any such books, documents, or accounts in the possession or control of any person summoned as a witness, and who is bound by the agreement, and the provisions of the principal Act, for compelling the attendance and submission of witnesses, shall apply for enforcing such production or examination.

Short title.

2. This Act may be cited as "The Arbitration (Masters and Workmen) Act, 1872."

CHAPTER 47.

An Act to amend the Act of the thirtieth and thirty-first years of Victoria, chapter eighty-five, intituled "An Act to include the whole of the Burgh of "Galashiels within the County, Sheriffdom, and "Commissariot of Selkirk." [6th August 1872.]

30 & 31 Vict. c. 85.

WHEREAS by an Act passed in the thirtieth and thirty-first year of the reign of Her present Majesty, chapter eighty-five, intituled "An Act to include the whole of the

" burgh of Galashiels within the county, sheriffdom, and com- " missariot of Selkirk," it was provided that the whole territory contained within the boundaries of the said burgh should, from and after the first day of October one thousand eight hundred and sixty-seven, be for certain purposes part of the county of Selkirk, and it is expedient that the whole of the said territory should be made part of the said county for all the purposes of the Prisons (Scotland) Administration Act, 1860, and any Acts amending the same:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same.

The whole of Galashiels to be part of the county of Selkirk for the purposes of 23 & 24 Vict. c. 105.

1. The whole territory contained within the boundaries of the said town or burgh of Galashiels, as the same have been fixed and defined under The General Police and Improvement (Scotland) Act, 1862, or as the same may be hereafter fixed and defined under the said Act, or by or under any other Act, and whether the said territory shall heretofore have been locally situated within the county of Selkirk or the county of Roxburgh, shall, from and after the term of Whit Sunday in the year eighteen hundred and seventy-three, be held to be and be part of the county of Selkirk for all the purposes of " The Prisons (Scotland) Administration Act, 1860," and any Acts amending the same.

Recited Act repealed.

2. The recited Act, so far as inconsistent with this Act, is hereby repealed.

CHAPTER 48.

An Act to amend the Law relating to the defining of Boundaries of Counties and other Divisions and Denominations of Land in Ireland.

[6th August 1872.]

WHEREAS it is expedient to amend the Acts, mentioned in the schedule hereto, relating to the defining of boundaries of counties, baronies, half-baronies, parishes, and other divisions and denominations of lands in Ireland for public purposes, and to the separation from counties in Ireland of detached and isolated portions of land separated from the same by the sea:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The County Boundaries, Ireland, Act, 1872."

Orders made to be taken as valid.

2. Every order made under the Acts mentioned in the schedule to this Act annexed, or any of them, or under this Act, shall be conclusive evidence of every fact and circumstance necessary to authorise the making thereof, and shall be deemed and taken to all intents and purposes whatsoever to have been made in pursuance of and in conformity with the provisions of the Acts under which the same purport to be made.

Copy of order to be good evidence.

3. A copy of any such order, purporting to be certified as a true copy by the clerk of Her Majesty's Privy Council in Ireland, or a printed copy of the Dublin Gazette purporting to be printed and published by the Queen's authority, and to contain the publication of any such order, shall for all purposes be conclusive evidence of said order.

Copy of map to be evidence of original.

4. A copy of any map referred to in any such order, or of any part of such map purporting to be certified as a true copy by the clerk of the said Council, shall for all purposes be conclusive evidence of the original map, or the part thereof of which the same shall purport to be a copy.

Power to Lord Lieutenant to order separation and re-annexation of parts of baronies, &c., such orders to be binding.

5. The Lord Lieutenant in Council shall and may by any order to be made under the Act numbered four in the schedule hereto, direct that any detached and isolated parcel or parcels of land which by such order shall be, or by any other order shall have been, annexed to any county, shall cease to form part of the barony, half-barony, or parish in which same shall be or shall have been situate, and that same shall be annexed to and form part of any barony, half-barony, or parish of the county to which such parcel of land shall be annexed, and which shall be specified in such order; and the said Lord Lieutenant in Council shall and may by such order, or by any other order, define and determine the purposes to which such union and annexation shall extend, and fix and declare the period from which the same shall take effect, and settle and adjust all matters and things proper or necessary to be settled or adjusted in consequence of such union and annexation; and every such order shall be binding and conclusive in law, in respect of the matters therein contained; and a copy or copies of such order, certified under the hand of the clerk of the said Council, shall be transmitted to the clerk of the peace for each county to which such order shall in any way relate, to be by him kept and preserved in his office, and exhibited at all reasonable hours to any person or persons who may desire to inspect the same, without fee or reward.

Interpretation:

6. In the Acts mentioned in the schedule to this Act annexed and in this Act—

"Lord Lieutenant."

The term "Lord Lieutenant" shall mean Lord Lieutenant of Ireland, and the lords justices or other chief governors or governor of Ireland for the time being.

SCHEDULE.

1.—17 Vict. c. 17.
2.—20 & 21 Vict. c. 45.
3.—22 & 23 Vict. c. 8.
4.—34 & 35 Vict. c. 106.

CHAPTER 49.

An Act to provide for the free Use of Seats in certain Churches. [6th August 1872.]

WHEREAS it is expedient that church seats which are intended by the founders or promoters of the churches to which they shall belong to be free from pew or seat rent shall so continue:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Church Seats Act, 1872."

Ecclesiastical Commissioners may accept a church site under a grant in which it is declared that pews or seats shall not be let.

2. It shall be lawful for the Ecclesiastical Commissioners, in the exercise and fulfilment of the powers and duties conferred or imposed upon them by the Acts administered by them or any or either of the same Acts, to accept a church site under a grant or conveyance in which it is declared that the pews or seats in the church erected or to be erected on the same site, or some specified portion of the same pews or seats, shall not be let for any payment of money, and thereupon it shall be unlawful to let the same pews or seats or portion of the same for payment of money.

Securing stipend to incumbent when seats are wholly or partially free.

3. In every case in which it is so declared that no portion of the pews or seats shall be let for any payment of money, a sufficient endowment or stipend of not less than one hundred pounds per annum shall be secured to the incumbent by or to the satisfaction of the Ecclesiastical Commissioners, and in every case in which a portion only of the pews or seats may not be so let, an endowment or stipend of such amount as the said Commissioners may determine, regard being had to the proportion of pews or seats which may not be so let, shall be in like manner secured.

CHAPTER 50.

An Act to protect Railway Rolling Stock from Distraint when on hire. [6th August 1872.]

WHEREAS it is expedient that protection from distress should in certain cases be extended to rolling stock:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Railway Rolling Stock Protection Act, 1872.

Interpretation of terms.

2. In this Act—

"Rolling stock" includes waggons, trucks, carriages of all kinds, and locomotive engines used on railways:

"Rent" includes royalty or other reservation in the nature of rent:

"Work" includes any colliery, quarry, mine, manufactory, warehouse, wharf, pier, or jetty, in or on which is any railway siding:

"Tenant" includes a lessee, sub-lessee, or other person having an interest in a work under a lease or agreement, or by use and occupation, or being otherwise liable to pay rent in respect of a work:

"Person" includes a body corporate:

"Court of summary jurisdiction" means any justices of the peace, metropolitan police magistrate, stipendiary magistrate, sheriff, sheriff substitute, or other magistrate or officer, by whatever name called, who is capable of exercising jurisdiction in summary proceedings for the recovery of penalties.

Rolling stock protected from distress or sale in certain cases.

3. Rolling stock being in a work shall not be liable to distress for rent payable by a tenant of the work, if such rolling stock is not the actual property of such tenant, and has upon it a distinguishing metal plate affixed to a conspicuous part thereof, or a distinguishing brand or other mark conspicuously impressed or made thereon, sufficiently indicating the actual owner thereof.

Remedy in case distress proceeded with.

4. Where any such rolling stock as aforesaid is distrained, a court of summary jurisdiction may make against the landlord such summary order for restoration of the rolling stock or for payment of the real value thereof, and respecting costs or otherwise, and may make against the person distraining such order in the matter, and respecting costs, as to the court seems just.

Not to extend to protect

5. This Act shall not extend to protect from distress the interest which any tenant may have in any rolling stock

otherwise protected under this Act, but such interest may be distrained upon by the landlord and disposed of in the same manner as the whole interest of such tenant, if he had possessed the same; and in case of disagreement between the landlord and the parties claiming such rolling stock as to the mode of disposing of such interest, the same shall be settled by the court of summary jurisdiction; and the court shall, on the application of either party, make such order therein as to the court shall seem fit. tenant's interest in rolling stock.

6. If any party thinks himself aggrieved by any order or adjudication of a court of summary jurisdiction under this Act, or by dismissal of his complaint by any such court, he may appeal therefrom, subject to the conditions and regulations following; (that is to say,) Appeal to quarter sessions.

(1.) The appeal shall be made to some court of general or quarter sessions for the county or place in which the cause of appeal arises holden not less than fifteen days, and (unless adjourned by the court of appeal) not more than four months after the decision of the court of summary jurisdiction:

(2.) The appellant shall, within seven days after the cause of appeal has arisen, give notice to the other party and to the court of summary jurisdiction of his intention to appeal, and the ground thereof:

(3.) The appellant shall immediately after such notice enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or give such other security, by deposit of money or otherwise, as the justice thinks fit to allow.

7. No order or conviction of a court of summary jurisdiction under this Act shall be quashed for want of form, or be removed by certiorari or otherwise (at the instance either of the Crown or of any private party) into any superior court. Exclusion of certiorari.

CHAPTER 51.

An Act for amending the Law relating to the Salaries of Judges. [6th August 1872.]

WHEREAS it is expedient to amend the law relating to the salaries of judges, and in particular to provide that the salary of every judge in the United Kingdom is to begin from the date of his appointment as a judge, and not (as is in

some instances the case) from the death or resignation of his immediate predecessors:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Judges Salaries Act, 1872."

Commencement and payment of judicial salaries.

2. Notwithstanding anything contained in any Act of Parliament, the judicial salary of every judge in the United Kingdom shall begin from the date of his appointment as judge, and not before, and shall accrue due from day to day during the time of his continuance in office, and shall be payable at such intervals not exceeding three months as may be from time to time determined by the Treasury.

Application of Act.

3. This Act in so far as relates to the accruer and payment of salaries shall apply to existing as well as to future judges.

Definition of "judge."

4. The expression "judge" shall include every judge of Her Majesty's Superior Courts of Common Law or Equity in England and Ireland, every judge of the Court of Session in Scotland, and every assistant judge, county court judge, stipendiary magistrate, or other person performing judicial duties in the United Kingdom in respect of which he is paid a salary.

CHAPTER 52.

An Act to regulate the summoning of Grand Juries in Middlesex. [6th August 1872.]

WHEREAS inconvenience has been found to arise by reason of the unnecessary summoning of grand juries in the county of Middlesex:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grand jury in Middlesex need not be summoned unless notice has been given of business to be brought before them.

1. From and after the passing of this Act it shall not be necessary to summon a grand jury of Middlesex to come before the Queen at Westminster in any term unless the master of the Crown Office has before the fourth day of that term received notice of some business intended to be brought before them, and it shall be the duty of the said master to give notice to the sheriff accordingly.

CHAPTER 53.

An Act to confirm an Agreement for the purchase by the Metropolitan Board of Works of certain land adjoining Victoria Park, and for the appropriation of such land as part of the same Park.

[6th August 1872.]

WHEREAS under the provisions of the Acts of Parliament specified in the Schedule (A.) to this Act annexed, certain lands described in the articles of agreement set forth in the Schedule (B.) to this Act annexed, adjoining Victoria Park in the county of Middlesex, are under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, who have, under the provisions of the said Acts, power to lease, sell, or exchange all or any part of the said lands:

And whereas the Metropolitan Board of Works are desirous that the said lands should be added to the said Victoria Park, upon the terms and subject to the conditions specified in the said articles of agreement:

And whereas it is expedient that the said articles of agreement, subject to such modifications as are herein-after contained, should be confirmed, and that the Metropolitan Board of Works should be authorised to raise such moneys as may be necessary for the purpose of enabling them to carry into effect the said articles of agreement, subject as aforesaid:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Articles of agreement set forth in Schedule (B.) confirmed.

1. The said articles of agreement dated the third day of May one thousand eight hundred and seventy-two, and set forth in the Schedule (B.) to this Act annexed, are by this Act confirmed, and such articles of agreement shall be of the same force and have the same effect as if the same were by this Act enacted: Provided always, that the said lands shall, after completion of the purchase thereof, continue vested in Her Majesty, her heirs and successors, instead of being conveyed to the Metropolitan Board of Works or to the Commissioners of Her Majesty's Works and Public Buildings, as provided by the said articles of agreement, but the same lands shall become and be part of Victoria Park, under the management of the Commissioners of Her Majesty's Works and Public Buildings, instead of being as the said lands now are part of the land revenues of the Crown, under the

management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and notwithstanding the provisions of the said agreement, the Commissioners of Her Majesty's Works and Public Buildings shall, from the day herein-after appointed for completion of the purchase, or if the purchase be sooner completed then from such completion, be entitled to possession of and receipt of any profits arising from the said lands, and the Metropolitan Board of Works shall not be liable to the payment of any taxes, tithe rentcharges, or other outgoings for the same, and the purchase shall be completed on or before the expiration of one calendar month after the passing of this Act, and in case default is made in payment by that day, and in no other event, the Metropolitan Board of Works shall pay to Her Majesty interest thereon at the rate of four pounds per cent., which shall be computed from the expiration of such one calendar month.

As to payment of purchase money and expenses.

2. The Metropolitan Board of Works may, notwithstanding any limit contained in any Act of Parliament, borrow a sufficient sum to pay the sums of twenty thousand four hundred and fifty pounds and one hundred pounds, and any interest on the first-mentioned sum in the recited articles of agreement mentioned, and the said Board may create and issue a sufficient amount of consolidated stock of the said Board for the purpose of raising the said sums of money and interest.

All expenses incurred by the said Board in relation to the purchase by the said articles of agreement provided for shall be deemed to be expenses properly incurred by the Board in the execution of the Metropolis Management Act, 1855, and shall be defrayed accordingly.

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

10 Geo. 4. c. 50.
4 & 5 Vict. c. 27.
5 & 6 Vict. c. 20.
14 & 15 Vict. c. 42.
14 & 15 Vict. c. 46.

SCHEDULE (B.)

ARTICLES OF AGREEMENT made the 3rd day of May 1872, between the Queen's most Excellent Majesty of the first part, the Honourable Charles Alexander Gore, a Commissioner of Her Majesty's Woods, Forests, and Land Revenues, acting under the powers of the Acts of 10 George 4th, cap. 50, and the 14th and 15th Victoria, cap. 42, of the second part, the Metropolitan Board of Works, herein-after called the Board, of the third part, and the Commissioners of Her Majesty's Works and Public Buildings of the fourth part.

1. The said Charles Alexander Gore hereby agrees on behalf of Her Majesty to sell to the Board (subject as herein-after mentioned), and the Board hereby agree to purchase from Her Majesty, for the sum of £20,450, all those four plots of land, containing together 23a. and 3r. or thereabouts, adjoining Victoria Park, in the parishes of St. John, Hackney, St. Mary, Stratford-le-Bow, and St. Matthew, Bethnal Green, in the county of Middlesex, which lands are delineated and coloured red, and are numbered respectively 1, 2, 3, and 4, in the plan hereunto annexed.

2. The purchase shall be completed and the purchase money paid on or before the 24th day of June 1872, and in case default is made in payment of the said purchase money by that day, the Board shall pay to Her Majesty interest thereon at the rate of £4 per cent. from the said 24th day of June 1872, until the purchase money is fully paid.

3. The Board shall be entitled to possession of the said land on the 24th day of June next, from which day all taxes, tithe rent-charges, and other outgoings for the same shall be paid by the Board, or by the Commissioners of Her Majesty's Works and Public Buildings.

4. The Board shall pay to Mr. Connew the sum of £100 in respect of negotiations for a lease of part of the land agreed to be sold.

5. When and so soon as possession of the said land shall have been given to the Metropolitan Board of Works such Board shall transfer possession thereof to the Commissioners of Her Majesty's Works and Public Buildings, to the intent that the same land may be added to and made part of Victoria Park, and thenceforth the land shall be laid out and maintained by the Commissioners of Her Majesty's Works and Public Buildings in the same manner as the adjoining land now under their management, and forming Victoria Park.

6. Upon payment of the whole of the purchase money, and of the interest, if any, due thereon, and of the aforesaid sum of £100 to Mr. Connew, a conveyance of the land shall be made by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues in charge of the same to the Board, or to the Commissioners of Her Majesty's Works and Public Buildings by direction of the Board, and such conveyance shall be prepared in duplicate in the Office of Woods at the expense of the Board.

7. No title or abstract of title to the land shall be given or required.

8. This agreement is subject to confirmation by an Act of Parliament, and to the consent of the Commissioners of Her Majesty's Treasury. In witness whereof the said Charles Alexander Gore has hereunto set his hand and seal, and the seals of the Metropolitan

Board of Works and of the Commissioners of Her Majesty's Works and Public Buildings have been hereunto affixed, the day and year first above mentioned.

C. A. GORE. L.S.

Seal of the Metrop[n] B[d] of Works.

Sealed by Order,
JOHN POLLARD, Clerk of the Board.

Seal of Comm[rs] of Works.

Signed, sealed, and delivered by the above-named CHARLES ALEXANDER GORE, in the presence of
J. F. REDGRAVE.

Office of Woods, &c., London.

CHAPTER 54.

An Act to amend the Public Schools Act, 1868.

[6th August 1872.]

34 & 35 Vict. c. 60.
31 & 32 Vict. c. 118.

WHEREAS by the Public Schools Act, 1871, it is provided, firstly, that all powers by the Public Schools Act, 1868, or any Act amending the same, vested in the new governing bodies of the several schools to which the said Public Schools Act applies shall continue vested in such new governing bodies respectively until the twenty-fifth day of August one thousand eight hundred and seventy-two, and from and after the said twenty-fifth day of August one thousand eight hundred and seventy-two, and not before, shall pass to and vest in the Special Commissioners in the said Act named, subject nevertheless as in the said Act mentioned; secondly, that, subject to the provisions of the said Public Schools Act, 1871, all powers conferred on the Special Commissioners by the Public Schools Act, 1868, or any Act amending the same, shall be in force until the twenty-fifth day of March one thousand eight hundred and seventy-three, and it shall be lawful for Her Majesty, if she think fit, by and with the advice of Her Privy Council, to continue the same until the twenty-fifth day of August one thousand eight hundred and seventy-three:

And whereas it is expedient to postpone for such further time as is herein-after mentioned the transfer to the said

Special Commissioners of the powers vested as aforesaid in the said new governing bodies, and to continue for a further time the powers of the said Special Commissioners, and to make certain provisions as to Rugby School:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Public Schools Act, 1872."

Extension of powers of new governing bodies of certain public schools.

2. All powers by the Public Schools Act, 1868, or any Act amending the same, vested in the new governing bodies of the said schools shall continue vested in such new governing bodies respectively until the twenty-fifth day of August one thousand eight hundred and seventy-three, and it shall be lawful for Her Majesty, if she think fit, by and with the advice of Her Privy Council, to continue the same until the twenty-fifth day of February one thousand eight hundred and seventy-four, and from and after the said twenty-fifth day of August one thousand eight hundred and seventy-three, or if such powers are continued by order of Her Majesty in Council until the twenty-fifth day of February one thousand eight hundred and seventy-four, from and after such last-mentioned day, and not before, the powers so vested in such new governing bodies as aforesaid shall pass to and vest in the said Special Commissioners, subject nevertheless as in the said Act mentioned.

Duration of powers of Commissioners.

3. Subject to the provisions of this Act, all powers conferred on the Special Commissioners by the Public Schools Act, 1868, or any Act amending the same, shall be in force until the twenty-fifth day of March one thousand eight hundred and seventy-four, and it shall be lawful for Her Majesty, if she think fit, by and with the advice of Her Privy Council, to continue the same until the twenty-fifth day of September one thousand eight hundred and seventy-four.

Amendment of section 21. of the Public Schools Act, 1868.

4. The additions and alterations mentioned in the twenty-first section of the Public Schools Act, 1868, shall be construed to include and authorise the construction of any new or separate buildings and any additions to or alterations in any existing buildings, for the purposes of any subordinate or other school established or to be established in connexion with any school to which the said Act applies.

Scheme for apportionment of property of Rugby School.

5. The new governing body of Rugby School may, at any time before the twenty-fifth day of August one thousand eight hundred and seventy-three, submit to the Special Commissioners, and, if approved of by them, may lay a scheme before Her Majesty in Council for carrying into effect any

arrangement which may be entered into between such governing body and the trustees of the Rugby Charity founded by Lawrence Sheriff, grocer, of London, in relation to the vesting of a portion of the property of such trustees in such new governing body for the use of Rugby School, and in relation to the payments to be made by the said trustees to the new governing body for the purposes of the said school, and in relation to any other matter or thing concerning the division of the property of the said trustees or the income thereof between the said new governing body and the said trustees for the purposes of the said school, and in relation to the mutual duties and obligations of the said trustees and the said governing body in respect of any property in which they may be mutually interested.

CHAPTER 55.

An Act for making better provision for the erection of Lighthouses on the Great Basses Rock, and on the Little Basses Rock, in the colony of Ceylon.

[6th August 1872.]

18 & 19 Vict. c. 91.

WHEREAS by the Merchant Shipping Amendment Act, 1855, the Commissioners of Her Majesty's Treasury and the Public Works Loan Commissioners are authorised to advance sums of money for the purpose of constructing a lighthouse on or near the coast of any British possession:

And whereas certain sums were advanced by the Commissioners of Her Majesty's Treasury for the establishment of a light-ship near the Little Basses Rock off the coast of Ceylon, part of which has been repaid out of the dues received in respect of such light-ship, leaving a balance of eight thousand three hundred and thirty-six pounds or thereabouts due to the last-mentioned Commissioners, and some further expenses to a small amount incurred in such establishment remain unpaid:

32 & 33 Vict. c. 77.

And whereas by the Basses Lights Act, 1869, the Public Works Loan Commissioners were required to advance, for the purpose of constructing a lighthouse on the Great Basses Rock, off the coast of Ceylon, a sum not exceeding seventy thousand pounds, at the rate of three and a quarter per cent. per annum, to be repayable within a period not exceeding fifty years, and the Commissioners of Her Majesty's Treasury were authorised to guarantee, jointly with the Secretary of State in Council of India, the principal and interest of such loan, and the said Commissioners of Her Majesty's Treasury and Secretary of State (in this Act referred to as the guarantors) have given a joint guarantee for the said loan of seventy thousand pounds

(in this Act referred to as the loan of 1869), of which sixty thousand pounds have been actually advanced upon such guarantee in pursuance of the said Act at interest at the rate of three and a quarter per cent. per annum:

And whereas by an Order in Council of the eleventh day of November one thousand eight hundred and sixty-nine, certain dues are required to be paid in respect of the Great Basses Lighthouse and the Little Basses Light-ship:

And whereas there is standing to the credit of the fund formed out of the dues received in respect of the Little Basses Light-ship or of the Great Basses Lighthouse and Little Basses Light-ship a balance of seventeen thousand pounds or thereabouts.

And whereas it is expedient to pay out of the said balance such sum as remains due to the Commissioners of Her Majesty's Treasury for the establishment of the Little Basses Light-ship, and any further expense of such establishment remaining unpaid, and to make further provision for the purpose of the construction of the said lighthouse on the Great Basses Rock, and also of a lighthouse on the Little Basses Rock, in substitution for the Little Basses Light-ship:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Basses Lights Act, 1872."

Construction of Act with 17 & 18 Vict. c. 104. and 18 & 19 Vict. c. 91.

2. This Act shall be construed as one with the Merchant Shipping Act, 1854, and the Merchant Shipping Amendment Act, 1855, (in this Act referred to as the principal Acts,) and with the Basses Lights Act, 1869.

Loan by Public Works Loan Commissioners.

3. For the purpose of constructing lighthouses on the said Great Basses Rock and Little Basses Rock, the Public Works Loan Commissioners are hereby required to advance in pursuance of the principal Acts, out of the moneys at their disposal, which are applicable for advances under the Harbours and Passing Tolls, &c. Act, 1861, in addition to the loan of 1869, a sum or sums not exceeding in the whole seventy-five thousand pounds. The sums advanced by the Public Works Loan Commissioners in pursuance of this Act shall be secured on the fund formed out of the dues mentioned in this Act, and shall be repayable, as to each portion thereof, within a period not exceeding fifty years from the date of the advance of such portion.

When the aggregate amount borrowed from the Public Works Loan Commissioners in respect of the principal of the loan of 1869, and of the loan advanced in pursuance of this Act, does not exceed one hundred thousand pounds, the interest payable in respect thereof shall be at the rate of three pounds five shillings per annum on each hundred pounds; but

when such aggregate amount exceeds one hundred thousand pounds, the interest payable in respect of one hundred thousand pounds shall be at the rate aforesaid, and the interest payable in respect of the excess shall be at the rate of five pounds per annum on each hundred pounds.

Substitution of lighthouse for light-ship in Order in Council as to dues.

4. As soon as a light is exhibited in the Little Basses Lighthouse so much of the said Order in Council of the eleventh day of November one thousand eight hundred and sixty-nine as directs what dues are to be paid shall be construed as if Little Basses Lighthouse were substituted therein for Little Basses Light-ship, and while such Order remains in force the dues shall be paid under the said Order accordingly, in like manner as if a new Order, altered as provided by this section, had been made in the manner and with the consent required by the principal Acts.

The dues payable in respect of the Great Basses Lighthouse and the Little Basses Lighthouse shall be altered only with the consent—

(*a.*) so long as the said guarantee is in force, of the guarantors; and

(*b.*) so long as any money is due to the Public Works Loan Commissioners in pursuance of this Act, of the Commissioners of Her Majesty's Treasury.

Payment of balance due for Little Basses Light-ship.

5. As soon as may be after the passing of this Act all sums then remaining due to the Commissioners of Her Majesty's Treasury for the establishment of the said Little Basses Light-ship, and any further expenses of such establishment remaining unpaid, shall be paid out of the balance standing to the credit of the fund formed out of the dues received in respect of such light-ship, or in respect of the Great Basses Lighthouse and such light-ship, and the remainder of the last-mentioned balance shall form part of the fund formed by this Act.

Application of dues of Great and Little Basses Lights.

6. The dues levied under the said Order in Council of the eleventh day of November one thousand eight hundred and sixty-nine, or any new Order made in lieu thereof, in respect of the Great Basses Lighthouse, and of the Little Basses Lighthouse, (after deducting any expenses incurred in collecting the same,) shall form one fund, which shall be applied for the purpose of paying the expenses incurred in erecting and maintaining such lighthouses, and for no other purpose whatever; and the priority according to which such expenses shall be paid shall (so far as conveniently may be, and subject to any other arrangement made so long as the said guarantee is in force with the consent of the guarantors,) be as follows:

(1.) The expenses of maintaining such lighthouses:

(2.) Then the interest on the unpaid balance of the loan of 1869 and the loan advanced in pursuance of this Act:

(3.) Then the amount for the time being required for repaying the principal of the loan of 1869 and the loan advanced in pursuance of this Act:

(4.) Then the amount required for repaying pari passu to the guarantors all sums which they may respectively have paid on account of the said guarantee, with interest on such sums after the rate of five per cent. per annum from the time at which they were paid.

Until a light is exhibited in the Little Basses Lighthouse the provisions of this section shall be construed as if the term "Little Basses Lighthouse" included the Little Basses Lightship.

Saving for securities and guarantee under 32 & 33 Vict. c. 77.

7. Nothing in this Act shall prejudice any security or guarantee given under the Basses Lights Act, 1869; and the loan of 1869 shall be secured on the fund formed out of the dues mentioned in this Act in like manner as if it were the same fund as the fund mentioned in the Basses Lights Act, 1869.

Repeal of sections 5 & 7 of 32 & 33 Vict. c. 77.

8. Sections five and seven of the Basses Lights Act, 1869, are hereby repealed, without prejudice to anything duly done or suffered before the passing of this Act.

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CHAPTER 56.

An Act to settle an annuity on the Honourable Blanche Julia Countess of Mayo, in consideration of the eminent services of the late Earl of Mayo as Viceroy and Governor General of India.

[6th August 1872.]

Most Gracious Sovereign,

WHEREAS at a special meeting of the Council of India held on the fifteenth day of March one thousand eight hundred and seventy-two, it was resolved unanimously by the Secretary of State for India in Council, that having regard to the eminent services rendered by the Earl of Mayo as Viceroy and Governor General of India, to the munificence with which in that office he maintained the dignity of the Crown, and to his death by a deed of violence to which he was exposed in the discharge of his public duty, a life annuity of one thousand pounds should be conferred on his widow the Honourable Blanche Julia Countess of Mayo, to be paid out of the revenues of India; and further that there should be paid out of the same revenues the sum of twenty thousand pounds for the benefit of the younger children of her ladyship and of the late Earl of Mayo:

And whereas the said annuity commenced on the said fifteenth day of March:

And whereas Your Majesty by your most gracious message hath been pleased to signify that Your Majesty, taking into consideration the services so rendered as aforesaid by the late Earl of Mayo, the munificence with which in his aforesaid office he maintained the dignity of the Crown, and his death in manner aforesaid, recommended to your faithful Commons to make a further provision out of the revenues of the United Kingdom for the said Countess of Mayo:

Therefore, we Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, duly considering Your Majesty's gracious recommendation, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

An annuity of 1,000*l.* in addition to that payable out of revenue of India to the Countess of Mayo.

1. In addition to the annuity payable out of the revenues of India in manner aforesaid, there shall be paid to the said Countess of Mayo during her life an annuity of one thousand pounds, free from all taxes, assessments, and charges excepting income tax, on the quarterly days following; that is to say, on the fifth day of January, the fifth day of April, the fifth day of July, and the tenth day of October, the first payment to be made on such of the said quarterly days as happens next after the passing of this Act of such proportion of the said annuity as may have accrued between the fifteenth day of March one thousand eight hundred and seventy-two and such quarterly day, and a proportionate part to be payable for the period from the last quarterly day of payment to the date of the termination thereof.

Annuity to be charged on Consolidated Fund.

2. The above-mentioned annuity shall be charged on and payable out of the Consolidated Fund of the United Kingdom, subject to such payments as may have been directed to be paid thereout by former Acts of Parliament, but with preference over all other payments which may hereafter be charged on the said fund.

CHAPTER 57.

An Act for the Abolition of Imprisonment for Debt in Ireland, and for the Punishment of fraudulent Debtors, and for other purposes relating thereto.

[6th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited for all purposes as "The Debtors Act (Ireland), 1872." Short title.

2. This Act shall not extend to England or Scotland. Extent of Act.

3. This Act shall not come into operation until the day on which the Bankruptcy (Ireland) Amendment Act, 1872, comes into operation, which day is herein-after referred to as the commencement of this Act. Commencement of Act.

4. In this Act, if not inconsistent with the context, the following terms shall have the meanings herein-after respectively assigned to them; that is to say, Interpretation of terms.

"Debt contracted after the passing of this Act" shall mean any sum of money due or payable under or in respect of any contract or obligation made or entered into or liability incurred, or cause of action or suit arisen after the passing of this Act:

"Debt contracted before the passing of this Act" shall mean any sum of money due or payable under or in respect of any contract or obligation made or entered into, or liability incurred, or cause of action or suit arisen before the passing of this Act:

And words and expressions defined or explained in the Bankruptcy (Ireland) Amendment Act, 1872, shall have the same meaning in this Act.

PART I.

Abolition of Imprisonment for future Debts.

5. With the exceptions herein-after mentioned, no person shall after the commencement of this Act be arrested or imprisoned for making default in payment of a debt contracted after the passing of this Act. Abolition of imprisonment for debt, with exceptions.

There shall be excepted from the operation of the above enactment:

1. Default in payment of a penalty, or sum in the nature of a penalty, other than a penalty in respect of any contract:
2. Default in payment of any sum recoverable summarily before a justice or justices of the peace:
3. Default by a trustee or person acting in a fiduciary capacity and ordered to pay by a court of equity any sum in his possession or under his control:
4. Default by an attorney or solicitor in payment of costs when ordered to pay costs for misconduct as such, or in payment of a sum of money when ordered to pay the same in his character of an officer of the court making the order:

5. Default in payment for the benefit of creditors of any portion of a salary or other income in respect of the payment of which any court having jurisdiction in bankruptcy or insolvency is authorised to make an order:

6. Default in payment of sums in respect of the payment of which orders are in this Act authorised to be made:

Provided, first, that no person shall be imprisoned in any case excepted from the operation of this section for a longer period than one year; and, secondly, that nothing in this section shall alter the effect of any judgment or order of any court for payment of money except as regards the arrest and imprisonment of the person making default in paying such money.

Saving of power of committal for small debts.

6. Subject to the provisions herein-after mentioned and to the prescribed rules, any court may commit to prison for a term not exceeding six weeks, or until payment of the sum due, any person who makes default in payment of any debt or instalment of any debt due from him in pursuance of any order or judgment of that or any other competent court, made or recovered after the passing of this Act in respect of a debt contracted after the passing of this Act.

Provided—(1.) That the jurisdiction by this section given of committing a person to prison shall, in the case of any court other than the superior courts of law and equity, be exercised only subject to the following restrictions; that is to say,

(*a.*) Be exercised only by a judge, and by an order made in open court, and showing on its face the ground on which it is issued:

(*b.*) Be exercised only as respects a judgment of a superior court of law or equity when such judgment does not exceed fifty pounds exclusive of costs:

(*c.*) Be exercised only as respects a decree of a civil bill court by a chairman of quarter sessions or recorder.

(2.) That such jurisdiction shall only be exercised where it is proved to the satisfaction of the court that the person making default either has or has had since the date of the order or judgment the means to pay the sum in respect of which he has made default, and has refused or neglected, or refuses or neglects, to pay the same.

Proof of the means of the person making default may be given in such manner as the court thinks just; and for the purposes of such proof the debtor and any witnesses may be summoned and examined on oath, according to the prescribed rules.

Any jurisdiction by this section given to the superior courts may be exercised by a judge sitting in chambers, or otherwise, in the prescribed manner.

For the purposes of this section any court may direct any debt due from any person in pursuance of any order or judgment of that or any other competent court to be paid by

instalments, and may from time to time rescind or vary such order.

Persons committed under this section by a superior court may be committed to the prison in which they would have been confined if arrested on a writ of capias ad satisfaciendum, and every order of committal by any superior court shall, subject to the prescribed rules, be issued, obeyed, and executed in the like manner as such writ.

This section, so far as it relates to any civil bill court, shall be deemed to be substituted for sections one hundred and sixteen and one hundred and seventeen of an Act of the session of the fourteenth and fifteenth years of the reign of Her present Majesty, chapter fifty-seven, and that Act and the Acts amending the same shall be construed accordingly, and shall extend to orders made by the chairman of quarter sessions with respect to sums due in pursuance of any order or judgment of any court other than a civil bill court.

No imprisonment under this section shall operate as a satisfaction or extinguishment of any debt or demand or cause of action, or deprive any person of any right to take out execution against the lands, goods, or chattels of the person imprisoned, in the same manner as if such imprisonment had not taken place.

Any person imprisoned under this section shall be discharged out of custody upon a certificate, signed in the prescribed manner, to the effect that he has satisfied the debt or instalment of a debt in respect of which he was imprisoned, together with the prescribed costs (if any).

After the commencement of this Act section one of an Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter twenty-eight, shall, so far as regards debts contracted after the passing of this Act, be and the same is hereby repealed.

Abolition of arrest.

7. After the commencement of this Act a person shall not be arrested upon mesne process in any action brought for the recovery of a debt contracted after the passing of this Act.

Power under certain circumstances to arrest defendant about to quit Ireland.

Where the plaintiff in any action in any of Her Majesty's superior courts of law at Dublin, in which if brought before the commencement of this Act the defendant would have been liable to arrest, proves at any time before final judgment by evidence on oath, to the satisfaction of a judge of one of those courts, that the plaintiff has good cause of action against the defendant to the amount of twenty pounds or upwards, or has sustained damage to that amount, and that there is probable cause for believing that the defendant is about to quit Ireland unless he be apprehended, and that the absence of the defendant from Ireland will materially prejudice the plaintiff in the prosecution of his action, such judge may in the prescribed manner order such defendant to be arrested and

imprisoned for a period not exceeding six months, unless and until he has sooner given the prescribed security, not exceeding the amount claimed in the action, that he will not go out of Ireland without the leave of the court.

Where the action is for a penalty or sum in the nature of a penalty, other than a penalty in respect of any contract, it shall not be necessary to prove that the absence of the defendant from Ireland will materially prejudice the plaintiff in the prosecution of his action, and the security given (instead of being that the defendant will not go out of Ireland) shall be to the effect that any sum recovered against the defendant in the action shall be paid or that the defendant shall be rendered to prison.

Saving for sequestration against property.

8. Sequestration against the property of a debtor who is not liable to be arrested or imprisoned after the commencement of this Act may, after the commencement of this Act, be issued by any court of equity in the same manner as if such debtor had been actually arrested.

Saving for 20 & 21 Vict. c. 60. and 35 & 36 Vict. c. 58.

9. Nothing in this part of this Act shall in any way affect any right or power, under the Irish Bankrupt and Insolvent Act, 1857, or the Bankruptcy (Ireland) Amendment Act, 1872, to arrest or imprison any person.

Definition of "prescribed."

10. In this part of this Act the term "prescribed" means as follows:

As respects the superior courts of common law, prescribed by general rules to be made in pursuance of the Common Law Procedure Act, 1853;

As respects the superior courts of equity, prescribed by general rules and orders to be made in pursuance of the Act of the session of the thirtieth and thirty-first years of the reign of Her Majesty, chapter forty-four;

As respects the civil bill courts, prescribed by general rules to be made under the 14th & 15th Vict. c. 57., and 27th & 28th Vict. c 99.; and

As respects any other court, prescribed by the rules to be made, with the approval of the Lord Chancellor, by the persons having the power to make rules in relation to the practice of such court, or if there be no such person by the judge of such court:

And general rules and orders may respectively be made by such authorities as aforesaid for the purpose of carrying into effect this part of this Act.

The term "judge" in this part of the Act shall include "chairman of quarter sessions" and "recorder," and any person for the time being doing and executing the duty of such chairman or recorder.

PART II.

Punishment of Fraudulent Debtors

Punishment of fraudulent debtors.

11. Any person adjudged bankrupt, and any person who shall have presented a petition for an arrangement with his creditors, in pursuance of "The Irish Bankrupt and Insolvent Act, 1857," as amended by the "Bankruptcy (Ireland) Amendment Act, 1872," shall, in each of the cases following, be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to be imprisoned for any time not exceeding two years, with or without hard labour; that is to say,—

1. If he does not, to the best of his knowledge and belief, fully and truly discover to the court, or to the assignee or assignees, or to such person or persons as the court shall from time to time direct, or to the trustees or trustee (if any) administering his estate for the benefit of his creditors, all his property, real and personal, and how, and to whom and for what consideration, and when he disposed of any part thereof, except such part as has been disposed of in the ordinary way of his trade (if any), or laid out in the ordinary expense of his family, unless the jury is satisfied that he had no intent to defraud:
2. If he does not deliver up to the assignees or to said trustees or trustee (if any), or as they or he or the court shall direct, all such part of his real and personal property as is in his custody or under his control, and which he is required by law to deliver up, unless the jury is satisfied that he had no intent to defraud:
3. If he does not deliver up to the assignees or to said trustees or trustee (if any), or as they or the court shall direct, all books, documents, papers, and writings in his custody or under his control relating to his property or affairs, unless the jury is satisfied that he had no intent to defraud:
4. If after the presentation of a bankruptcy petition by or against him, or after the presentation of a petition for arrangement by him, or within four months next before such presentation respectively, he conceals any part of his property to the value of ten pounds or upwards, or conceals any debt due to or from him, unless the jury is satisfied that he had no intent to defraud:
5. If after the presentation of a bankruptcy petition by or against him, or after the presentation of a petition for arrangement by him, or within four months next before such presentation respectively, he fraudulently removes any part of his property of the value of ten pounds or upwards:

6. If he makes any material omission in any statement relating to his affairs, unless the jury is satisfied that he had no intent to defraud:
7. If, knowing or believing that a false debt has been proved by any person under the bankruptcy or arrangement, he fail for the period of a month to inform the assignees or one of them, or such trustees or trustee (if any) thereof:
8. If after the presentation of a bankruptcy petition by or against him, or after the presentation of a petition for arrangement by him, he prevents the production of any book, document, paper, or writing affecting or relating to his property or affairs unless the jury is satisfied that he had no intent to conceal the state of his affairs or to defeat the law:
9. If after the presentation of a bankruptcy petition against or by him, or after the presentation of a petition for an arrangement by him, or within four months next before such presentation respectively, he conceals, destroys, mutilates, or falsifies, or is privy to the concealment, destruction, mutilation, or falsification of any book or document affecting or relating to his property or affairs, unless the jury is satisfied that he had no intent to conceal the state of his affairs or to defeat the law:
10. If after the presentation of a bankruptcy petition against or by him, or after the presentation of a petition for arrangement by him, or within four months next before such presentation respectively, he makes or is privy to the making of any false entry in any book or document affecting or relating to his property or affairs, unless the jury is satisfied that he had no intent to conceal the state of his affairs or to defeat the law:
11. If after the presentation of a bankruptcy petition against or by him, or after the presentation of a petition for arrangement by him, or within four months next before such presentation respectively, he fraudulently parts with, alters, or makes any omission, or is privy to the fraudulently parting with, altering, or making any omission, in any document affecting or relating to his property or affairs:
12. If after the presentation of a bankruptcy petition against or by him, or after the presentation of a petition for arrangement by him, or at any meeting of his creditors within four months next before such presentation respectively, he attempts to account for any part of his property by fictitious losses or expenses:
13. If within four months next before the presentation of a bankruptcy petition against or by him, or next before the presentation of a petition for arrangement by him, he, by any false representation or other fraud, has

obtained any property on credit and has not paid for the same:

14. If within four months next before the presentation of a bankruptcy petition against or by him, or next before the presentation of a petition for arrangement by him, he being a trader, obtains, under the false pretence of carrying on business and dealing in the ordinary way of his trade, any property on credit and has not paid for the same, unless the jury is satisfied that he had no intent to defraud:

15. If within four months next before the presentation of a bankruptcy petition against or by him, or next before the presentation of a petition for arrangement by him, he, being a trader, pawns, pledges, or disposes of otherwise than in the ordinary way of his trade any property which he has obtained on credit and has not paid for, unless the jury is satisfied that he had no intent to defraud:

16. If he is guilty of any false representation or other fraud for the purpose of obtaining the consent of his creditors or any of them to any agreement with reference to his affairs or his bankruptcy or arrangement.

Penalty for absconding with property.

12. If any person who is adjudged a bankrupt, or has presented a petition for arrangement after such adjudication or presentation respectively, or within four months before such adjudication or presentation respectively, quits Ireland and takes with him, or attempts or makes preparation for quitting Ireland and for taking with him, any part of his property to the amount of twenty pounds or upwards, which ought by law to be divided amongst his creditors, he shall (unless the jury is satisfied that he had no intent to defraud) be guilty of felony, punishable with imprisonment for a time not exceeding two years, with or without hard labour.

Penalty on fraudulently obtaining credit, &c.

13. Any person shall in each of the cases following be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to be imprisoned for any time not exceeding one year, with or without hard labour; that is to say,

(1.) If in incurring any debt or liability he has obtained credit under false pretences, or by means of any other fraud:

(2.) If he has with intent to defraud his creditors, or any of them, made or caused to be made any gift, delivery, or transfer of or any charge on his property:

(3.) If he has, with intent to defraud his creditors, concealed, or removed any part of his property since or within two months before the date of any unsatisfied judgment or order for payment of money obtained against him:

(4.) If he has wilfully concealed any real or personal estate of any bankrupt or arranging debtor, and has not within forty-two days after the filing of the petition of bankruptcy or for arrangement discovered such estate to the court or to the assignees or the trustees or trustee (if any).

False claim, &c. a misdemeanor.

14. If any creditor in any bankruptcy or arrangement or composition with creditors in pursuance of "The Irish Bankrupt and Insolvent Act, 1857," as amended by "The Bankruptcy (Ireland) Amendment Act, 1872," wilfully and with intent to defraud makes any false claim, or any proof, declaration, or statement of account which is untrue in any material particular, he shall be guilty of a misdemeanor, punishable with imprisonment not exceeding one year, with or without hard labour.

Debts incurred by fraud.

15. Where a debtor makes any arrangement or composition with his creditors under the provisions of "The Irish Bankrupt and Insolvent Act, 1857," as amended by "The Bankruptcy (Ireland) Amendment Act, 1872," he shall remain liable for the unpaid balance of any debt which he incurred or increased, or whereof before the date of the arrangement or composition he obtained forbearance, by any fraud, provided the defrauded creditor has not assented to the arrangement or composition otherwise than by proving his debt and accepting dividends.

Order by court for prosecution on report of assignee or trustee.

16. Where any assignee or a trustee in any bankruptcy or arrangement reports to the court that in his opinion a bankrupt or arranging debtor has been guilty of any offence under this Act, or where the court is satisfied upon the representation of any creditor that there is ground to believe that the bankrupt or arranging debtor has been guilty of any offence under this Act, the court shall, if it appears to the court that there is a reasonable probability that the bankrupt or arranging debtor may be convicted, order the assignees or trustee to prosecute the bankrupt or arranging debtor for such offence.

Expenses of prosecutions.

17. Where the prosecution of the bankrupt or arranging debtor under this Act is ordered by any court, then, on the production of the order of the court, the expenses of the prosecution shall be allowed, paid, and borne as expenses of prosecutions for felony are allowed, paid, and borne.

Application of Vexatious Indictments Act to offences under this Act.

18. Every misdemeanor under the second part of this Act shall be deemed to be an offence within and subject to the provisions of the Act of the session of the twenty-second and twenty-third years of the reign of Her present Majesty, chapter seventeen, intituled "An Act to prevent vexatious indictments for certain misdemeanors;" and when any person is charged with any offence before any justice or justices, such

justice or justices shall take into consideration any evidence adduced before him or them tending to show that the Act charged was not committed with a guilty intent.

Form of indictment.

19. In an indictment for an offence under this Act it shall be sufficient to set forth the substance of the offence charged in the words of this Act specifying the offence or as near thereto as circumstances admit, without alleging or setting forth any debt, act of bankruptcy, trading, adjudication, or any proceedings in, or order, warrant, or document of any court acting under "The Irish Bankrupt and Insolvent Act, 1857," or "The Bankruptcy (Ireland) Amendment Act, 1872."

Mayors, &c. disqualified by arrangements.

20. The provisions of the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, sections eighty-eight and eighty-nine, as to the disqualification of mayors, aldermen, and town councillors having been declared bankrupt, or having compounded by deed with their creditors, shall extend to every arrangement or composition by a mayor, alderman, town councillor, or town commissioner with his creditors under "The Irish Bankrupt and Insolvent Act, 1857," as amended by "The Bankruptcy (Ireland) Amendment Act, 1872," whether the same is made by deed or otherwise.

Justices of the peace becoming bankrupt or arranging with creditors.

21. If any person being assigned by Her Majesty's Commission to act as a justice of the peace is adjudged bankrupt, or makes any arrangement or composition with his creditors under "The Irish Bankrupt and Insolvent Act, 1857," or "The Bankruptcy (Ireland) Amendment Act, 1872," he shall be and remain incapable of acting as a justice of the peace until he has been newly assigned by Her Majesty in that behalf.

Punishments under this Act cumulative.

22. Where any person is liable under any other Act of Parliament or at common law to any punishment or penalty for any offence made punishable by this Act, such person may be proceeded against under such other Act of Parliament or at common law or under this Act, so that he be not punished twice for the same offence.

PART III.

Warrants of Attorney, Cognovits, and Orders for Judgment.

Warrants of attorney and cognovit actionem to be executed in presence of an attorney on behalf of the person.

23. After the commencement of this Act a warrant of attorney to confess judgment in any personal action or cognovit actionem given by any person shall not be of any force unless there is present some attorney of one of the superior courts on behalf of such person expressly named by him and attending at his request to inform him of the nature and effect of such warrant or cognovit before the same is executed, which attorney shall subscribe his name as a witness to the

due execution thereof, and thereby declare himself to be attorney for the person executing the same, and state that he subscribes as such attorney.

Warrant, &c. not formally executed invalid.

24. A warrant of attorney to confess judgment or cognovit actionem not executed in manner aforesaid shall not be rendered valid by proof that the person executing the same did in fact understand the nature and effect thereof, or was fully informed of the same.

Exemption from Act of foreign attachment.

25. Nothing in this Act contained shall affect the custom of foreign attachment as exercised by any competent court, or the proceedings in relation to such custom.

PART IV.

Abolition of Imprisonment for past Debts.

On and after 1st day of August 1877 provisions of Part I. to apply to debts contracted before passing of Act.

26. On and after the first day of August one thousand eight hundred and seventy-seven the provisions of Part I. of this Act shall extend and apply to every person making default in payment of a debt contracted before the passing of this Act, and to every person making default in payment of any debt or instalment of any debt due from him in pursuance of any judgment, decree, or order recovered or made in respect of a debt contracted before the passing of this Act, and to every debt contracted before the passing of this Act, and to every judgment, decree, or order recovered or made in respect of a debt contracted before the passing of this Act.

Discharge of persons in custody on 1st August 1877.

27. Where any person shall on the first day of August one thousand eight hundred and seventy-seven be in custody in pursuance of a writ, attachment, or other process in any case in which he would not be liable to be arrested or imprisoned after that day, such person shall on the said day be discharged from such custody without payment of any fees, but his arrest, imprisonment, or discharge shall not affect the creditor's rights or remedies for enforcing the payment of any money due to him, or deprive the creditor of the benefit of any charge or security on any property of the debtor.

When on or prior to the first day of August one thousand eight hundred and seventy-seven special bail shall have been given in any action the defendant in which after the said day cannot be imprisoned on making default in satisfying the judgment recovered against him in such action, the condition of such bail, instead of being that the judgment shall be satisfied or the defendant rendered to prison, shall be deemed to be that the defendant shall not go out of Ireland without leave of the court.

CHAPTER 58.

An Act for the Amendment of the Law of Bankruptcy in Ireland. [6th August 1872.]

WHEREAS it is expedient to amend the laws relating to bankruptcy and insolvency in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Construction of Act with 20 & 21 Vict. c. 60., and short title.

1. This Act shall be construed together with so much of "The Irish Bankrupt and Insolvent Act, 1857," as is not hereby altered or repealed, as one Act, and may be cited for all purposes as "The Bankruptcy (Ireland) Amendment Act, 1872."

Limits of Act.

2. This Act shall not, except in so far as same is expressly provided, apply to England or Scotland.

Commencement of Act.

3. This Act shall come into operation on the first day of January one thousand eight hundred and seventy-three, which date is herein-after referred to as "the commencement of this "Act."

Interpretation of terms.

4. In this Act, if not inconsistent with the context, the following terms shall have the meanings herein-after respectively assigned to them; that is to say,

"The Court" shall mean the Court of Bankruptcy and Insolvency in Ireland, as constituted under "The Irish Bankrupt and Insolvent Act, 1857," and as altered in its title by this Act, and shall mean also and include any judge or judges of the Court of Bankruptcy in Ireland constituting and acting as a Court under the said Act or this Act:

"Prescribed" shall mean prescribed by rules of court to be made as in this Act provided:

"Arranging debtor" shall mean a person who has presented a petition for arrangement with his creditors, under the provisions of "The Irish Bankrupt and Insolvent Act, 1857," as amended by this Act:

"The said Act" shall mean "The Irish Bankrupt and Insolvent Act, 1857:"

"Trader" shall mean any one of the persons mentioned in section ninety of "The Irish Bankrupt and Insolvent Act, 1857:"

"Secured creditor" shall mean any creditor holding any mortgage, charge, or lien on the debtor's estate, or any part thereof, as security for a debt due to him.

Repeal of portions of 20 & 21 Vict. c. 60. as in schedule (A.)

5. From and after the commencement of this Act the several sections of "The Irish Bankrupt and Insolvent Act, 1857," mentioned in the schedule (A.) hereto annexed, and the several parts of sections in the said Act relating to the practice and procedure and powers of the Court in insolvency, and to the assignees, creditors, debts, property, allowances, and offences of insolvents, shall be repealed, except so far as said sections, and parts of sections, or any of them, repeal any former Act, or any part of an Act, and except also so far as may be necessary for the purpose of supporting and continuing any proceedings taken or to be taken after the commencement of this Act on any petition or order in bankruptcy or insolvency, filed or made before the commencement of this Act: Provided always, that such repeal shall not be construed to lessen or affect any right to which any person may, at the time of such repeal, be entitled under the said sections, or any of them; or to lessen any liability or obligation then existing thereunder; or to affect any principle or rule of law derived from any of the said sections; nor shall this repeal interfere with the prosecution, or affect the course of any legal proceeding pending in bankruptcy or insolvency, or otherwise, under any of said sections, before the commencement of this Act; but, subject to the provisions of this Act, and "The Debtors Act (Ireland), 1872," such proceedings shall be prosecuted as if this Act had not been passed; nor shall this repeal interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under any section of the said Act hereby repealed.

The Court of Bankruptcy and the Officers thereof.

Change in title of court.

6. From and after the commencement of this Act "The Court of Bankruptcy and Insolvency in Ireland," as constituted by the said Act, shall be called "The Court of Bankruptcy in Ireland," and the judges of the said Court and their successors shall be called the Judges of the Court of Bankruptcy.

The Court of Bankruptcy in Ireland shall continue to be a court of law and equity and a principal court of record, and may review, rescind, or vary any order made by it in pursuance of the said Act or of this Act; and each of the judges of the said court shall have all the powers, jurisdiction, and privileges possessed by any judge of Her Majesty's High Court of Chancery, or by any judge of Her Majesty's Superior Courts of Common Law at Dublin, and the orders of the court shall be of the same force as if they were judgments in the Superior Courts of Common Law or decrees in the High Court of Chancery.

Subject to the provisions of this Act with respect to the officers of the Court of Bankruptcy and Insolvency, all the

officers and subordinate officers of the said court for the time being shall, notwithstanding any provisions in "The Irish Bankrupt and Insolvent Act, 1857," henceforth be appointed by the judges of the said Court for the time being, and may be removed by them, and others appointed in their stead, if the judges are of opinion that they are negligent, unskilful, or untrustworthy in their performance of their duties, or ought in their opinion to be removed for any other just cause.

The said several officers of the said Court shall, in addition to or by way of substitution for the duties at present discharged by them, perform such duties as may from time to time be assigned to them by the judges of the Court with the assent of the Lord Chancellor.

The chief registrars shall provide a seal in duplicate on which shall be engraven the style of the Court, as so altered, and every such seal shall be kept by the chief registrar in trust, for the purposes of the Court, and such seal shall be the seal of the Court.

Judges may sit at chambers.

7. The judges may sit at chambers for the despatch of such part of the business of their courts as can without detriment to the public advantage, arising from the discussion of questions in open court, be heard in chambers; and when sitting at chambers they shall have in all respects like power and jurisdiction as when sitting in court.

Powers of Court to delegate authority.

8. The judges may, subject and in accordance with the rules of court for the time being in force, delegate to the chief registrars or to any other officer of the Court such of the powers vested in them by the said Act as amended by this Act, or by this Act, as it may be expedient for the judges to delegate.

Change in title of assistant registrars.

9. The present assistant registrars of the Court and their successors shall be called henceforth "Registrars of the Court of Bankruptcy."

Power to increase salaries of chief registrar and registrars, &c.

10. And whereas by the fortieth section of the said Act it was (amongst other things) enacted, that the salary to be paid to the chief registrar should in no case exceed eight hundred pounds per annum: And whereas by the forty-second section of the said Act it was (amongst other things) enacted, that it should be lawful for the Lord Chancellor to direct that a salary not exceeding four hundred pounds per annum should be paid to each assistant registrar: And whereas it is expedient that there should be power to increase the said salaries in the event of their being deemed insufficient remuneration for the duties which such chief registrar or the registrars are required to perform: Be it therefore enacted, that it shall be lawful for the judges of the Court, if it shall appear to them that the salary of the chief registrar or of said registrars is insufficient, to represent the circumstances to the Commissioners of Her Majesty's Treasury, who are hereby empowered, if they shall

see fit, to increase such salaries to such amounts as to them shall seem proper.

Whereas by the sixtieth section of the thirtieth and thirty-first Victoria, chapter one hundred and twenty-nine, "The Chancery and Common Law Officers (Ireland) Act, 1857," it is enacted that it shall be lawful for the judges of the Court of Bankruptcy and Insolvency in Ireland, if it shall appear to them that the salary of the deputy assistant registrar or of any of the clerks or assistants is insufficient, with the approval of the Lord Chancellor, to represent the circumstances to Her Majesty's Treasury, who are thereby empowered to increase such salaries as to them shall seem fit: Be it enacted, that the power thereby conferred upon the Lords Commissioners of Her Majesty's Treasury may be exercised by them, if they see fit, from time to time, upon the representation of the judges of the Court of Bankruptcy, in reference to the salary of any officer of the said Court of Bankruptcy in Ireland.

Change in title of deputy assistant registrar.

11. The present deputy assistant to the chief registrar, and his successors, shall be called henceforth "deputy registrar."

Change of tenure by which offices held.

12. And whereas it is expedient to alter the tenure by which the future officers of the Court herein-after named shall hold their respective offices: Be it therefore enacted, that every chief clerk, registrar, deputy registrar, clerk, or assistant, who may be hereafter appointed, and any person who may before the passing of this Act have been appointed to the office lately held by J. R. O'Flanagan, Esq., one of the clerks of the Court, shall hold his respective office by the same tenure as an officer serving in an established capacity in the permanent Civil Service of the State, but shall be removable by order of the judges of the Court, if such judges shall be of opinion that he is negligent, or unskilful, or untrustworthy in the discharge of his duties, or ought in their opinion to be removed for any other just cause.

Superannuation of officers appointed after passing of Acts 30 & 31 Vict. c. 44. and 30 & 31 Vict. c. 129.

13. Every person holding any of the offices mentioned in the last preceding section at the time of the passing of this Act who may have been appointed subsequently to the passing of the Acts of the session of the thirtieth and thirty-first years of the reign of Her present Majesty, chapters forty-four and one hundred and twenty-nine, and every person who may hereafter be appointed to any of the said offices, may be allowed superannuation in pursuance of the provisions of the "Superannuation Act, 1859."

Salary of deputy to be deducted from chief's salary.

14. And whereas by the twenty-third section of the said Act it was (amongst other things) enacted that any person appointed to perform the duty of such judge or registrar or chief clerk as therein named should be paid a sum equal to the salary of such judge or registrar or chief clerk for and during the period of his service, to be deducted from the

salary of the person in whose absence he should so act: And whereas it is expedient that there should be power to allocate a sum less than the entire amount of such salary in payment of the persons so appointed: Be it enacted, that every person so appointed to perform the duty of such judge, registrar, or chief clerk shall be paid such sum, to be deducted from the said salary, as the Lord Chancellor in the case of a judge, or as the judges of the Court in the case of any of the other officers, may determine as proper to be deducted from the salary of the person in whose absence he shall so act.

Additional persons may be appointed to take affidavits.

15. Affidavits to be made or used in any matter or proceeding under the said Act as amended by this Act shall and may be sworn before such officer or officers of the Court as the Court shall by general order from time to time direct, as well as before the several persons mentioned in section three hundred and sixty-six of the said Act; and every such officer as aforesaid is hereby authorised and required to administer the oath upon every such affidavit.

Scale of fees.

16. The Lord Chancellor shall, with the sanction of the Treasury, from time to time prescribe a scale of fees to be charged for any business done by any Court or officer thereof under the said Act as amended by this Act or under this Act; and the Treasury shall direct whether the same shall be imposed by stamps or otherwise, and by whom and in what manner the same shall be collected, accounted for, and appropriated, and whether any and what remuneration or compensation shall be allowed to any person performing any duties under this Act, or whose fees or emoluments may be affected thereby.

When prescribing any such scale of fees, it shall be lawful for the Lord Chancellor, with the sanction of the Treasury, to vary, increase, reduce, or abolish all or any of the stamp duties in lieu of fees mentioned and enumerated in Schedule (Z.) to the said Act annexed, and to substitute one or more fee or fees, stamp or stamps, in lieu thereof.

All or any stamps to be used under the said Act as amended by this Act or under this Act shall be impressed or adhesive as the Commissioners of Her Majesty's Treasury from time to time direct.

Proceedings in Bankruptcy.

Abolition of distinction between traders and non-traders.

17. From and after the commencement of this Act, the provisions of the said Act, save so far as same have been repealed, altered, or amended by this Act, shall apply to all debtors, whether traders or not, and the said Act shall henceforth be read and construed as if the word "debtor" were inserted throughout the said Act instead of the word "trader."

Debtor need not prove his estate over 50*l.*

18. Notwithstanding any provision contained in the said Act, it shall not be necessary for any debtor who shall present a petition for adjudication in bankruptcy against himself, and who shall at the time of the presentation of such petition be a prisoner as defined by the said Act, to set forth in his petition, or to make it appear to the satisfaction of the Court, that his available estate is sufficient to produce the sum of fifty pounds.

Forms as to traders to be applicable to all debtors.

19. Save as otherwise provided by this Act, all the forms set forth in the several schedules to the said Act in reference to traders and their estates and effects, but subject to be varied by general orders, shall be applicable to all debtors who are not traders, and their estates and effects under this Act; but no rule, order, warrant, summons, or other proceeding or document whatsoever required by the said Act, or by this Act, to be in a form given in the said schedules respectively, or any of them, or to be given by any general order under this Act, shall be invalidated by reason of want of form, or omission, or variance therein, if such want of form, omission, or variance shall not, in the opinion of the Court before which the same shall be brought, be calculated to mislead or prejudicially affect any person.

Debt of petitioning creditor.

20. A single creditor, or two or more creditors, if the debt due to such single creditor or the aggregate amount of debts due to such several creditors from any debtor amount to a sum of not less than forty pounds, may present a petition to the Court, praying that the debtor be adjudged a bankrupt.

Acts of bankruptcy.

21. The following acts or defaults shall be herein-after deemed to be and included under the expression "acts of bankruptcy:"

(1.) That the debtor has, in Ireland or elsewhere, made a conveyance or assignment of his property to a trustee or trustees for the benefit of his creditors generally:

(2.) That the debtor has, in Ireland or elsewhere, made a fraudulent conveyance, gift, delivery, or transfer of his property or of any part thereof:

(3.) That the debtor has, with intent to defeat or delay his creditors, done any of the following things, namely, departed out of Ireland; or being out of Ireland remained out of Ireland; or being a trader departed from his dwelling house or otherwise absented himself; or begun to keep house; or suffered himself to be outlawed:

No debtor not being a trader who shall be abroad at the time of the passing of this Act shall be deemed to remain abroad with intent to defeat or delay his creditors until the expiration of six months after the passing of this Act:

(4.) That the debtor has filed in the Court a declaration of insolvency pursuant to the provisions of the said Act as amended by this Act:

(5.) That execution issued against the debtor on any legal process for the purpose of obtaining payment of not less than twenty pounds has in the case of a trader been levied by seizure and sale of his goods:

(6.) That the creditor presenting the petition has served in the prescribed manner on the debtor a debtor's summons requiring a debtor to pay a sum due, of an amount of not less than twenty pounds, and the debtor being a trader has for the space of seven days, or not being a trader has for the space of three weeks, succeeding the service of such summons, neglected to pay such sum, or to secure or compound for the same:

(7.) That the debtor has filed a petition for arrangement with his creditors under the provisions of the said Act as amended by this Act, and that such petition has been dismissed:

(8.) That the debtor having been arrested or committed to prison before the first day of August one thousand eight hundred and seventy-seven for debt or on any attachment for nonpayment of money shall upon such or any other arrest or commitment for debt or nonpayment of money, or upon any detention for debt, lie in prison, being a trader, for fourteen days, or not being a trader, for two calendar months, or, having been arrested for any cause, shall lie in prison as aforesaid, after any detainer for debt lodged against him, and not discharged; or that any such debtor, having been so arrested, committed, or detained for debt shall escape out of prison or custody; or that any such debtor having been so arrested, committed, or detained for debt, shall make the declaration mentioned in section twenty-four of this Act.

The debt of the petitioning creditor must be a liquidated sum, and must not be a secured debt, unless the petitioner state in his petition that he will be ready to give up such security for the benefit of the creditors in the event of the debtor being adjudicated a bankrupt, or unless the petitioner is willing to give an estimate of the value of his security, in which latter case he may be admitted as a petitioning creditor to the extent of the balance of the debt due to him after deducting the value so estimated, but he shall, on an application being made by the assignees or trustee within the prescribed time after the date of adjudication, give up his security to such assignees or trustee for the benefit of the creditors upon payment of such estimated value.

Every person who has given credit to any debtor upon valuable consideration for any sum payable at a certain time, which time shall not have arrived when such debtor committed an act of bankruptcy, may, subject to the provisions of the preceding clause, petition or join in petitioning for adjudication against such debtor.

Debt of petitioning creditor of a non-trader must be contracted after the passing of this Act.

22. The debt of the petitioning creditor of any debtor not being a trader, and not being at the time of the presentation of the petition a prisoner as defined by the said Act, must be a debt contracted after the passing of this Act.

Effect of adjudication against prisoner for debt.

23. Every adjudication against any prisoner as defined by the said Act shall, unless the Court shall otherwise direct, have relation back to the date of his commitment or detention, as the case may be.

Mode of dealing with pauper prisoners for debt.

24. If any debtor now being or who shall be imprisoned for any debt contracted before the passing of this Act, shall not be possessed of or entitled to any property, and shall not have any means directly or indirectly of supporting himself, he shall be at liberty to make and subscribe a declaration of his poverty in the prescribed form. Such declaration may be made before the gaoler of the prison where such debtor is confined, or his deputy, and such gaoler or deputy is hereby empowered and required to administer such declaration without fee or reward. Any person making such declaration knowing the same to be false in any particular shall, on conviction thereof, incur and suffer such and the same penalties as are inflicted on persons convicted of wilful and corrupt perjury.

Notice of declaration to be given in Gazette.

25. When such declaration shall have been subscribed, the gaoler or his deputy shall forthwith transmit the same with a list of the detainers against such person as shall have subscribed such declaration to the chief registrars or other officer of the Court appointed to receive the same, who shall file the same, and forthwith give notice in the Dublin Gazette, and to the detaining creditors or creditor of such person in the prescribed manner, and if they the said detaining creditors, or some one of them, shall not within twenty-one days after the publication of the said notice in the said Gazette, file or cause to be filed in the Court a petition of bankruptcy against the said person, the Court may order his immediate release; provided always, that such release shall in nowise affect any rights of such detaining creditors or creditor except the right of detaining such person in custody.

Bankrupts protected from arrest in certain cases.

26. If the bankrupt be not in prison or custody at the date of the adjudication, he shall be free from arrest or imprisonment by any creditor, in respect of a debt contracted before the passing of this Act, in coming to surrender, and after such surrender during the time limited by the said Act

for such surrender, and for such further time as shall be allowed him for finishing his examination, and for such time after finishing his examination until his certificate be allowed, as the Court shall from time to time think fit to appoint, and when any person who has been adjudged bankrupt, and has surrendered and obtained his protection from arrest, is at the time of obtaining such protection in prison or in custody for any debt contracted before the passing of this Act, the Court may, if it think fit, order his immediate release, and either absolutely or upon such conditions as it shall consider just, provided that such release shall in nowise affect any rights of the creditor at whose suit the bankrupt may be in custody against the bankrupt, except the right of detaining him in custody whilst protected from imprisonment by order of the Court: Provided that when the bankrupt is a prisoner as defined by the said Act, the Court may, if it see fit, dispense with the attendance of the said bankrupt for surrender, and may receive such surrender in the prescribed form.

If arrested to be discharged on producing protection. Penalty on detention.

27. If any bankrupt in coming to surrender be arrested for any debt contracted before the passing of this Act, or shall after his surrender, and while protected by order of the Court, be so arrested, he shall, on producing such protection to the officer who shall arrest him and giving such officer a copy thereof, be immediately discharged; and if any officer shall detain any such bankrupt after he shall have shown such protection to him, except for so long as shall be necessary for obtaining a copy of the same, such officer shall forfeit to such bankrupt the sum of five pounds for every day he shall detain such bankrupt, to be recovered by action of debt in any of Her Majesty's Superior Courts of Record in Dublin in the name of such bankrupt, with full costs of suit.

Adjudication in case of lunatic prisoners for debt.

28. If any person being or alleged to be of unsound mind shall be a prisoner as defined by the said Act, the gaoler shall forthwith require a justice of the peace for the county, division, or place wherein such prison shall be, to visit such debtor, and to inquire into his or her state of mind; and such justice shall call to his assistance two duly qualified medical practitioners, each of whom shall be a physician, surgeon, or apothecary, and each of whom shall separately examine such debtor; and if such two medical practitioners shall each sign a certificate with respect to such debtor, according to the prescribed form, and such justice shall be satisfied from his own view that such debtor is of unsound mind, he shall certify the same to the Court, and thereupon the Court may appoint some person to represent such debtor, and direct such proceedings to be taken for adjudication in bankruptcy against him as the Court shall think fit, and all such proceedings under such adjudication shall be had and carried on in the same manner and with the

like effect as if such prisoner had been of sound mind and had presented a petition to the Court for adjudication of bankruptcy, or as near thereto as the difference of circumstances will permit.

Power thereupon for justice of the peace to remove such prisoners to county asylum.

29. Any justice of the peace of the county, division, or place aforesaid may thereupon remove such prisoner from such gaol, and may cause him or her to be sent to the asylum of the county in which such gaol shall be situate, in order that he or she may be placed under care and treatment as a lunatic; and such removal shall not be considered as an escape or final discharge from such gaol, and such prisoner shall thereafter be dealt with in all respects as a pauper lunatic, and shall be subject to the Acts of Parliament for the time being in force respecting pauper lunatics, or as near thereto as circumstances will permit: Provided nevertheless, that in the event of his or her recovery from his or her lunacy, he or she shall, if still liable to be detained in custody as a debtor, be remitted to the gaol from whence he or she was received.

Proceedings in relation to a debtor's summons.

30. A debtor's summons may be granted by the Court on a creditor proving to its satisfaction that a debt of twenty pounds or upwards is due to him from the person against whom the summons is sought and that the creditor has failed to obtain payment of his debt, after using reasonable efforts to do so. The summons shall be in the prescribed form. It shall state that in the event of the debtor failing to pay the sum specified in the summons, or to secure or compound for the same to the satisfaction of the creditor, such default will be deemed to be an act of bankruptcy. The summons shall have an endorsement thereon to the like effect, or such other prescribed endorsement as may be best calculated to indicate to the debtor the nature of the document served upon him, and the consequences of inattention to the requisitions therein made.

Any debtor served with a debtor's summons may apply to the Court, in the prescribed manner and within the prescribed time, to dismiss such summons, on the ground that he is not indebted to the creditor serving such summons, or that he is not indebted to such amount as will justify such creditor in obtaining a debtor's summons against him; and the Court may dismiss the summons, with or without costs, if satisfied with the allegations made by the debtor, or it may, upon such security (if any) being given as the Court may require for payment to the creditor of the debt alleged by him to be due, and the costs of establishing such debt, stay all proceedings on the summons for such time as will be required for the trial of the question relating to such debt; and such trial shall be had either before the Court or before any other court of competent jurisdiction.

31. A partnership, association, or company corporate, registered under the Companies Act, 1862, shall not be adjudged bankrupt under the said Act or this Act. Partnerships, &c. registered not to be adjudged bankrupt.

Insolvency.

32. From and after the commencement of this Act, the jurisdiction, authorities, and functions of the chairmen of quarter sessions in insolvency matters shall cease; provided that all matters of insolvency pending at the time of the commencement of this Act before any of the said chairmen shall proceed and be completed before them as if this Act had not been passed. Jurisdiction of chairmen of quarter sessions in insolvency discontinued.

33. All matters of insolvency pending at the commencement of this Act in the Court shall proceed and be completed in the said Court, and the judges of the said Court shall for the purpose of proceeding with and completing such pending matters have the same jurisdiction, powers, and authorities possessed by them at the time of the commencement of this Act. Winding up pending insolvency business.

34. For the purpose of winding up as expeditiously and conveniently as may be all petitions, matters, and things relating to any insolvency which shall have been presented to or depending in the Court or in any of the Courts of Quarter Sessions in Ireland at the time of the commencement of this Act, the following provisions shall have effect; namely, Power of Courts to proceed summarily in winding up matters depending.

(1.) It shall be lawful for the Court, or the chairman of any Court of Quarter Sessions respectively, to summon, as they or he shall deem fit, all or any of the parties to such petitions, matters, or things, or their solicitors, and thereupon to give such directions and make such orders as may be necessary for the purpose of settling and winding up the same, and to proceed for the purposes aforesaid in the absence of the parties or solicitors neglecting or refusing to attend such summons:

(2.) Every insolvency shall at the expiration of ten years from the commencement of this Act be closed:

(3.) Before the expiration of the said ten years any assignee, creditor, or other person interested in an insolvency may apply in the prescribed manner to the Court to have the close of such insolvency postponed, and the Court on sufficient cause being shown for the postponement may, subject to the rules of Court, postpone such close for such period and on such terms and conditions (if any) as it thinks just:

(4.) If the close is postponed the same proceedings may be had before the expiration of the period of postponement, as is provided by this section, before the expiration of the said period of ten years:

(5.) If sufficient cause for postponement is not shown before the expiration of the said ten years, or the period of postponement (as the case may be), or of such further period as may, subject to the rules of Court, be allowed for an application to the Court, the insolvency shall, at the expiration of the said times, be ipso facto closed, and thereupon the insolvent or the heirs, devisees, or personal representatives of the insolvent (if he is dead) shall be in the same position and have the same rights in all respects as if the insolvent had been bankrupt and had at the date of the closing obtained his certificate of conformity under the said Act as amended by this Act.

Recognizances of sureties extended.

35. Every recognizance which may, at the passing of this Act, have been entered into by any person with conditions that the insolvent therein mentioned shall duly appear at the time and place therein mentioned, shall extend to bind the person who may have entered into the same, in case the insolvent debtor therein mentioned shall not at the time appointed in such recognizance duly appear before the Court by which the petition or matter of such insolvent is heard in pursuance of the said Act or this Act, and on every adjourned hearing, or shall not abide by the final judgment of such Court.

Records of court.

36. The records and proceedings of every kind in insolvency matters in the Court of Bankruptcy and Insolvency at the time of the commencement of this Act shall be records and proceedings of the Court, and shall be kept in such manner as they now are, subject to alteration by any general order.

Chief clerk, clerks, and officers in insolvency.

37. The present chief clerk in insolvency and the officers at the commencement of this Act discharging duties connected with insolvency business shall, until the Court otherwise directs, continue to discharge the same duties as at the commencement of this Act, and shall have the same relative rank, and hold their offices by the same tenure, and upon the same terms and conditions, and receive the same salaries and emoluments, as heretofore. If a vacancy happens in the place of any such officers to whom this section relates, the Court may, if it thinks fit, with the concurrence of the Commissioners of Her Majesty's Treasury, employ a fit person temporarily to discharge the duties of that place; and in the event of the duties of any such officers now attached to the Court ceasing, he shall, save as herein-before provided, if the Court think fit, be appointed to discharge similar or other duties in the Court of Bankruptcy in case his services are required in that behalf, under such title, and shall receive such salary, as the judges of the Court of Bankruptcy, with the sanction of the Treasury, may from time to time direct, not less than the salary

received by them respectively; and if not so appointed, his office shall be abolished.

Compensation to officers.

38. The Commissioners of Her Majesty's Treasury may, on the petition of any person whose office or employment is abolished by or under this Act, on the commencement of this Act or on any other event, inquire whether any, and, if any, what compensation ought to be made to the petitioner, regard being had to the conditions on which his appointment was made, the nature of his office or employment, and the duration of his service; and if they think that his claim to compensation is established, may award to him out of moneys to be provided by Parliament such compensation, by annuity or otherwise, as under the circumstances of the case they think just and reasonable.

Saving for right to superannuation allowances, &c.

39. Nothing in this Act shall deprive any person discharging duties connected with insolvency in the Court of Bankruptcy and Insolvency of any benefit to which at or after the commencement of this Act he is or may become entitled by virtue of any Act relating to superannuation allowances; and the service of any such person in the Court shall, in relation to superannuation allowance, retiring pension, and compensation annuity on abolition of office, be equivalent to service in the said Court of Bankruptcy and Insolvency.

Persons having Privilege of Parliament.

Privilege of Parliament not to prevent adjudication in bankruptcy.

40. If a person having privilege of Parliament commits an act of bankruptcy he may be dealt with under this Act in like manner as if he had not such privilege.

Vacating of seat in House of Commons.

41. If a person, being a member of the Commons House of Parliament, is adjudged bankrupt, he shall be and remain during one year from the date of the order of adjudication incapable of sitting and voting in that House, unless within that time either the order is annulled, or the creditors who prove debts under the bankruptcy are fully paid or satisfied.

Provided that such debts (if any) as are disputed by the bankrupt shall be considered, for the purpose of this section, as paid or satisfied if within the time aforesaid he enters into a bond, in such sum and with such sureties as the Court approves, to pay the amount to be recovered in any proceeding for the recovery of or concerning such debts, together with any costs to be given in such proceedings.

Certificate of bankruptcy to be given by the Court to the Speaker.

42. If within the time aforesaid the order of adjudication is not annulled, and the debts of the bankrupt are not fully paid or satisfied as aforesaid, then the Court shall, immediately after the expiration of that time, certify the same to the Speaker of the House of Commons, and thereupon the seat of such member shall be vacant.

Speaker to issue new writ.

43. Where the seat of a member so becomes vacant, the Speaker during a recess of the House, whether by prorogation or by adjournment, shall, forthwith after receiving such certificate, cause notice thereof to be published in the London Gazette; and after the expiration of six days after such publication shall (unless the House has met before that day, or will meet on the day of the issue) issue his warrant to the Clerk of the Crown to make out a new writ for electing another member in the room of the member whose seat has so become vacant.

Provisions of 24 Geo. 3. sess. 2. c. 26. extended to case of bankruptcy.

44. The powers of the Act of the twenty-fourth year of the reign of King George the Third, chapter twenty-six "to repeal "so much of two Acts made in the tenth and fifteenth years "of the reign of His present Majesty as authorises the Speaker "of the House of Commons to issue his warrant to the Clerk "of the Crown for making out writs for the election of mem- "bers to serve in Parliament in the manner therein mentioned; "and for substituting other provisions for the like purposes," so far as such powers enable the Speaker to nominate and appoint other persons, being members of the House of Commons, to issue warrants for the making out of new writs during the vacancy of the office of Speaker, or during his absence out of the realm, shall extend to enable him to make the like nomination and appointment for issuing warrants, under the like circumstances and conditions, for the election of a member in the room of any bankrupt member whose seat becomes vacant under this Act.

Proof of Debts.

Proof for debts payable by instalments.

45. If any bankrupt or arranging debtor shall have contracted before the filing of a petition against or by him any debt payable by way of instalments, the creditor may prove for the amount of such instalments remaining unpaid at the time of such petition.

Proof in respect of unliquidated damages.

46. If any bankrupt, at the time of adjudication, or any arranging debtor, at the time of the presentation of his petition, shall be liable by reason of any contract or promise, either express or implied, to a demand in the nature of damages which have not been and cannot be otherwise liquidated or ascertained, it shall be lawful for the Court to direct such damages to be assessed by a jury, either before itself or in a court of law, and to give all necessary directions for such purpose, and the amount of damage, when assessed, shall be provable as if a debt due at the time of the bankruptcy or the arrangement: Provided, that in case all necessary parties agree, the Court shall have power to assess such damages without the intervention of a jury or a reference to a court of law.

Proof for premiums upon policies of insurance.

47. If any bankrupt, at the time of adjudication, or any arranging debtor, at the time of the presentation of his petition, be liable, by reason of any contract or promise, to pay premiums on any policy of insurance, or any other sums of money, whether yearly or otherwise, or to repay to or indemnify any person against any such payments, the person entitled to the benefit of such contract or promise may, if he think fit, apply to the Court to set a value upon his interest under such contract or promise, and the Court is hereby required to ascertain the value thereof, and to admit such person to prove the amount so ascertained, and to receive dividends thereon.

Proof in respect of distinct contracts.

48. If any bankrupt, at the time of adjudication, or any arranging debtor, at the time of the presentation of his petition, is liable in respect of distinct contracts, as member of two or more distinct firms, or as a sole contractor, and also as member of a firm, the circumstance that such firms are, in whole or in part, composed of the same individuals, or that the sole contractor is also one of the joint contractors, shall not prevent proof in respect of such contracts against the properties respectively liable upon such contracts.

Preferential debts.

49. All parochial or local rates due from any bankrupt or arranging debtor at the date of the order of adjudication or of the filing of the petition, as the case may be, and having become due and payable within twelve months next before such times respectively, and all property or income tax assessed on any bankrupt or arranging debtor up to the fifth day of April next before the date of the order of adjudication or of the filing of the petition, as the case may be, shall be paid in priority to all other debts. Between themselves such debts shall rank equally, and shall be paid in full unless the property of the bankrupt or arranging debtor is insufficient to meet them, in which case they shall abate in equal proportions between themselves.

Power of Court in relation to Property.

Dispositions of estates tail under bankruptcies. 4 & 5 W. 4. c. 92.

50. The powers and authorities conferred upon Commissioners of Bankruptcy by such of the clauses of an Act passed in the fourth and fifth years of the reign of King William the Fourth, intituled "An Act for the abolition of fines and "recoveries and for the substitution of more simple modes of "assurance in Ireland," as were by the three hundred and fortieth section of the said Act extended and made applicable to proceedings in bankruptcy under a petition of bankruptcy, and to proceedings in insolvency under a petition of insolvency, shall be vested in the judges of the Court, and shall be exercised by them, or one of them.

Appropriation of portion of

51. When a bankrupt is in receipt of a salary or income, other than is mentioned in the three hundred and nineteenth

salary to creditors.

section of the said Act, the Court may, from time to time, make such order as it thinks just for the payment of such salary or income, or of any part thereof, to the official assignee or the trustee, to be applied by him in such manner as the Court shall direct; and thereupon such portion of such salary or income as shall be specified in such order shall be paid to such official assignee, until the Court shall make order to the contrary.

Avoidance of voluntary settlements.

52. Any settlement of property made by a trader after the commencement of this Act, not being a settlement made before and in consideration of marriage, or made in favour of a purchaser or incumbrancer in good faith and for valuable consideration, or a settlement made on or for the wife or children of the settlor of property which has accrued to the settlor after marriage in right of his wife, shall, if the settlor becomes bankrupt within two years after the date of such settlement, be void as against the assignees or trustee of such bankrupt under the said Act or this Act, and shall, if the settlor becomes bankrupt at any subsequent time within ten years after the date of such settlement, unless the parties claiming under such settlement can prove that the settlor was at the time of making the settlement able to pay all his debts without the aid of the property comprised in such settlement, be void against such assignees or trustee. Any covenant or contract made by a trader after the commencement of this Act, in consideration of marriage, for the future settlement upon or for his wife or children of any money or property wherein he had not at the date of his marriage any estate or interest, whether vested or contingent in possession or remainder, and not being money or property of or in right of his wife, shall, upon his becoming bankrupt before such property or money has been actually transferred or paid pursuant to such contract or covenant, be void against his assignees or trustee appointed under the said Act or this Act.

"Settlement" shall for the purposes of this section include any conveyance or transfer of property.

Avoidance of fraudulent preferences.

53. From and after the commencement of this Act, every conveyance or transfer of property, or charge thereon made, every payment made, every obligation incurred, and every judicial proceeding taken or suffered by any person unable to pay his debts as they become due from his own moneys in favour of any creditor, or any person in trust for any creditor, with a view of giving such creditor a preference over the other creditors, shall, if the person making, taking, paying, or suffering the same to become bankrupt within three months after the date of making, taking, paying, or suffering the same, be deemed fraudulent and void as against the assignees or trustee of such bankrupt appointed under the said Act or this Act; but this section shall not affect the rights of a purchaser, payee, or incumbrancer in good faith and for valuable consideration.

Proceeds of sale and seizure of goods.

54. Where the goods of any trader have been taken in execution in respect of a judgment or civil bill decree for a sum exceeding twenty pounds, and sold, the sheriff shall retain the proceeds of such sale in his hands for a period of fourteen days, and upon notice being served on him within that period of a bankruptcy petition having been presented by or against such trader, shall hold the proceeds of such sale, after deducting expenses, on trust to pay the same to the assignees or trustee; but if no notice of such petition having been presented be served on him within such period of fourteen days, or if such notice having been served, the trader by or against whom the petition has been presented is not adjudged a bankrupt on such petition, or on any other petition of which the sheriff has notice, he may deal with the proceeds of such sale in the same manner as he would have done had no notice of the presentation of a bankruptcy petition been served on him: Provided always, that in case of bankruptcy the costs and expenses of such action and execution shall be retained and paid out of the proceeds of the sale, and the balance only after such payment be paid to the assignees.

Transactions protected by 20 & 21 Vict. c. 60. to remain valid.

55. Subject and without prejudice to the provisions of this Act relating to the proceeds of the sale and seizure of goods of a trader, and to the provisions of this Act, avoiding certain settlements, and avoiding, on the ground of their constituting fraudulent preferences, certain conveyances, charges, and judicial proceedings, the several transactions by and in relation to the property of a bankrupt which are protected by the said Act, shall be valid notwithstanding any prior act of bankruptcy.

Certificate of Conformity.

Certificate of conformity.

56. When a bankrupt has passed his final examination in a bankruptcy heard before the Court under the provisions of the said Act as amended by this Act, or when a bankruptcy wound up by a trustee and a committee of inspection as herein-after provided has closed, or at any time during its continuance with the assent of the creditors testified by a special resolution, the bankrupt may apply to the Court for a certificate of conformity; but such certificate shall not be granted unless it is proved to the Court that one of the following conditions has been fulfilled:

1. In a bankruptcy heard before the Court under the provisions of the said Act as amended by this Act, that a dividend of not less than ten shillings in the pound has been paid out of his property, or that his bankruptcy or the failure to pay ten shillings in the pound has in the opinion of the Court arisen from circumstances for which the bankrupt cannot justly be held responsible.

2. In a bankruptcy wound up by a trustee and a committee of inspection, either that a dividend of not less than ten shillings in the pound has been paid out of his property, or might have been paid except through the negligence or fraud of the trustee, or that a special resolution of his creditors has been passed to the effect that his bankruptcy or the failure to pay ten shillings in the pound has in their opinion arisen from circumstances for which the bankrupt cannot be held reponsible, and that they desire that a certificate should be granted to him. The Court may suspend for such time as it deems to be just, or withhold altogether, the certificate in the circumstances following:

1. If a prosecution has been commenced against the bankrupt in pursuance of the provisions relating to the punishment of fraudulent debtors contained in the Debtors Act (Ireland), 1872, in respect of any offence alleged to have been committed by him against the last-mentioned Act:
2. If in the case of a bankruptcy heard before the Court under the provisions of the said Act as amended by this Act, the Court is of opinion that the bankrupt has not made a full disclosure and discovery of his estate and effects or has made default in giving up to his creditors the property which he is required by the said Act or this Act to give up:
3. If in the case of a bankruptcy wound up by a trustee and a committee of inspection, it appears to the Court on the representation of the creditors made by special resolution, of the truth of which representation the Court is satisfied, or by other sufficient evidence that the bankrupt has not made a full disclosure and discovery of his estate and effects, or has made default in giving up to his creditors the property which he is required by the said Act or this Act to give up.

Form of certificate of conformity.

57. The certificate of conformity shall be in writing under the seal of the Court, and the hand of one of the judges of the Court, and shall certify that the bankrupt has made a full discovery of his estate and effects, and in all things conformed, and that so far as the Court can judge there does not appear any reason to question the truth or fulness of such discovery; and shall be in the form contained in Schedule (B.) to this Act annexed, or to the like effect, and notice of the allowance of such certificate shall be advertised in the Dublin Gazette in such manner as may be directed by any general order to be made in pursuance of this Act.

Effect of certificate.

58. The certificate of conformity shall not release the bankrupt from any debt or liability incurred by means of any fraud or breach of trust, nor from any debt or liability whereof he has obtained forbearance by any fraud, but it shall release the bankrupt from all other debts provable under the bankruptcy, with the exception of—

(1.) Debts due to the Crown:

(2.) Debts with which the bankrupt stands charged at the suit of the Crown, or of any person for any offence against a statute relating to any branch of the public revenue, or at the suit of the sheriff or other public officer on a bail bond entered into for the appearance of any person prosecuted for any such offence:

And he shall not be discharged from such excepted debts unless the Commissioners of the Treasury certify in writing their consent to his being discharged therefrom.

A certificate of conformity shall be sufficient evidence of the bankruptcy and of the validity of the proceedings thereon, and, in any proceedings that may be instituted against a bankrupt who has obtained a certificate in respect of any debt from which he is released by such certificate, the bankrupt may plead that the cause of action accrued before he became bankrupt, and may give this Act and the special matter in evidence.

Exception of joint debtors.

59. The certificate of conformity shall not release any person who at the date of the adjudication was a partner with the bankrupt, or was jointly bound, or had made any joint contract with him.

Status of uncertificated bankrupt.

60. When a person who has been made a bankrupt has not obtained his certificate, then from and after the passing of the final examination, or the close of the bankruptcy, as the case may be, the following consequences shall ensue:

(1.) No portion of a debt provable under the bankruptcy shall be enforced against the property of the person so made bankrupt until the expiration of three years from the passing of the final examination or the close of the bankruptcy, as the case may be; and during that time if he pay to his creditors such additional sum as will, with the dividend paid out of his property during the bankruptcy, make up ten shillings in the pound, he shall be entitled to a certificate of conformity in the same manner as if a dividend of ten shillings in the pound had originally been paid out of his property:

(2.) At the expiration of a period of three years from the passing of the final examination or the close of the bankruptcy, as the case may be, if the debtor made bankrupt has not obtained a certificate of conformity, any balance remaining unpaid in respect of any debt

proved in such bankruptcy (but without interest in the meantime) shall be deemed to be a subsisting debt in the nature of a judgment debt, and subject to the rights of any persons who have become creditors of the debtor since the passing of the final examination or the close of his bankruptcy, as the case may be, may be enforced against any property of the debtor with the sanction of the Court, but to the extent only, and at the time and in the manner directed by the Court, and after giving such notice and doing such acts as may be prescribed in that behalf.

Arrangement with Creditors and Composition after Bankruptcy.

Composition after bankruptcy.

61. Notwithstanding that the several requirements of the one hundred and forty-ninth and one hundred and fiftieth sections of the said Act with respect to composition after bankruptcy may have been complied with, it shall be lawful for the Court to refuse to annul the adjudication, and to order that the bankruptcy shall continue, if at either of the meetings mentioned in said one hundred and forty-ninth section, or at any adjournment of either of said meetings, it shall be shown that the offer of composition made by the bankrupt or his friends is not reasonable and proper to be executed under the control of the Court.

Definition of "process."

62. The word "process" in the said Act and this Act shall include an affidavit registered under the provisions of the Act thirteen and fourteen of the Queen, chapter twenty-nine, and the Acts amending the same, and a debtors summons under this Act.

Secured creditor to value his security before voting.

63. A secured creditor shall for the purpose of voting at any meeting of creditors in any arrangement or in any composition after bankruptcy under the said Act or this Act, be deemed to be a creditor only in respect of the balance (if any) due to him, after deducting the value of his security; and the amount of such balance shall, until the security be realised, be determined in the prescribed manner. He may, however, at or previously to any such meeting, give up the security, and thereupon he shall rank as a creditor in respect of the whole sum to him.

Certificate in arrangement cases to operate as a certificate of conformity.

64. So soon as the resolution or agreement made by any arranging debtor under the said Act, as amended by this Act, shall have been carried into effect, and the creditors of such arranging debtor shall have been satisfied according to the tenor thereof, the Court shall give to such arranging debtor a certificate under the seal of the Court in the form contained in the Schedule (C.) to this Act annexed, or to the like effect;

and such certificate shall thenceforth operate to all intents and purposes as if the same were a certificate of conformity under a bankruptcy under the said Act as amended by this Act.

Re-vesting of property in arrangement cases.

65. Whenever it shall appear to the satisfaction of the Court that any trader who has presented a petition for arrangement with his creditors before the passing of this Act, has obtained such certificate as is mentioned in the three hundred and fifty-second section of the said Act, or that any arranging debtor has obtained such certificate as is mentioned in the last preceding section of this Act, and that there remains in the possession of, or vested in, or otherwise subject to the control of the assignees, or any trustees or trustee of such trader or arranging debtor under his arrangement, any part of the estate or effects of such trader or arranging debtor, it shall be lawful for the Court to order that the same shall be vested in the said trader or arranging debtor, his heirs, executors, administrators, or assigns, and such order shall have the effect of vesting the same accordingly. Any order made in pursuance of this section shall for all purposes of any law in force in any part of the United Kingdom, or in any part of the dominions of Her Majesty, requiring registration, enrolment, or recording of conveyances, or assignments of property, be deemed to be a conveyance or assignment of property, and may be registered, enrolled, and recorded accordingly.

General Powers of the Court.

General power of the Court.

66. Subject to the provisions of the said Act and this Act, and in addition to the powers conferred by the said Act, the Court shall have full power to decide all questions of priorities, and all other questions whatsoever, whether of law or fact, arising in any case of bankruptcy or arrangement coming within the cognizance of such Court, or which the Court may deem it expedient or necessary to decide for the purpose of doing complete justice or making a complete distribution of property in any such case; and the Court shall not be subject to be restrained in the execution of its powers under the said Act or this Act by the order of any other Court, nor shall any appeal lie from its decisions, except in the manner directed by the said Act; and if in any proceeding in bankruptcy or arrangement there arises any question of fact which the parties desire to be tried before a jury instead of by the Court itself, or which the Court thinks ought to be tried by a jury, the Court may direct such trial to be had, and such trial may be had accordingly, before one of the judges of the said Court, in the same manner as if it were the trial of an issue in one of the superior courts of common law.

Extension of the Act 34 & 35 Vict.

67. The word "Court" used in and by an Act of the session of the thirty-fourth and thirty-fifth years of the reign of Her

c. 65. to the Court and to the judges thereof.

present Majesty, chapter sixty-five, shall include "the Court of Bankruptcy in Ireland," and the word "judge" used in and by said Act shall include any of the judges of the said Court.

Power of Court to restrain suits, &c.

68. The Court may at any time after the presentation of a petition in bankruptcy against or by a debtor under the said Act as amended by this Act, or at any time after the presentation of a petition for arrangement under the said Act as amended by this Act, restrain further proceedings in any action, suit, or other process against the debtor in respect of any debt provable in bankruptcy or arrangement, or it may allow such proceedings, whether in progress at the time of such presentation respectively or commenced during the continuance of the bankruptcy or arrangement, to proceed upon such terms as the Court may seem just. The Court may also at any time after the presentation of any such petition appoint a receiver or manager of the property or business of the debtor, or any part thereof, and may direct immediate possession to be taken of such property or business, or any part thereof.

Execution of warrant.

69. Any warrant issued by the Court under the said Act as amended by this Act, or under this Act, may be directed to and executed by the messengers of the Court, or any assistant messenger, or any constable or other fit person therein named, and it shall not be necessary for such last-named persons to take the oath prescribed for messengers by the said Act.

Enforcement of orders of Court.

70. Any order made by the Court under the said Act as amended by this Act, or under this Act shall be enforced in Scotland and England in the Courts having jurisdiction in bankruptcy in such countries respectively, in the same manner in all respects as if such order had been made by the Courts which are hereby required to enforce the same; and in like manner any order made by the Court in Scotland having jurisdiction in bankruptcy shall be enforced in England and Ireland, and any order made by the Court having jurisdiction in bankruptcy in England shall be enforced in Ireland and Scotland, by the Courts respectively having jurisdiction in bankruptcy, in the division of the United Kingdom where the orders made require to be enforced, and in the same manner in all respects as if such order had been made by the Court required to enforce the same in a case of bankruptcy within its own jurisdiction.

Courts in Ireland, &c. to be auxiliary to other courts, &c.

71. The Court and the Courts having jurisdiction in bankruptcy in England and Scotland, and every British Court elsewhere having jurisdiction in bankruptcy or insolvency, and the officers of such Courts respectively, shall severally act in aid of and be auxiliary to each other in all matters of bankruptcy, and an order of the Court seeking aid, together with a request to another of the said Courts, shall be deemed

sufficient to enable the latter Court to exercise, in regard to the matters directed by such order, the like jurisdiction which the Court which made the request, as well as the Court to which the request is made, could exercise in regard to similar matters within their respective jurisdictions.

Commitment to prison.

72. Where the Court commits any person to prison, the commitment may be to such convenient prison as the Court thinks expedient, and if the gaoler of any prison refuses to receive any prisoner so committed he shall be liable for every such refusal to a penalty not exceeding one hundred pounds.

Examination of persons in custody.

73. The Court shall have power to issue its warrant or order directed to the governor, keeper, or gaoler of any gaol wherein any bankrupt, or any person who is known or suspected to have any of the estate of the bankrupt in his possession, or who is supposed to be indebted to the bankrupt, or any person the Court may believe capable of giving information concerning the person, trade, dealings, or estate of the bankrupt, shall be in custody, directing him to bring the bankrupt or any such person as aforesaid before the Court, or such officer thereof, or such chairman of quarter sessions, as shall be named in such warrant or order on the day named in such warrant or order for examination; and every such governor, keeper, or gaoler shall obey such warrant or order. The bankrupt or any such person as aforesaid who shall be so brought up, shall, after his or her examination, be taken back to the gaol from which he or she was brought up, without any new or further order.

Expenses of removal of persons in custody.

74. The expenses of conveying such bankrupt or any such person as aforesaid, for such examination, shall be paid to the keeper, gaoler, or other officer who shall bring such prisoner to and from the place where same is held, in obedience to any such rule or order of the Court out of the estate and effects of such bankrupt, if the same shall be sufficient to pay such expenses, and if not, then such expenses shall be paid by the treasurer of the county, county of a city, or county of a town in the gaol of which such prisoner shall be imprisoned, as the same shall be directed by the Court or other officer before whom such prisoner shall be brought; and the grand jury of such county, county of a city, or county of town is hereby empowered and required to present the amount thereof at the assizes next ensuing the day mentioned in such rule or order, to be levied off such county, county of a city, or county of a town.

Power of Court to put purchaser into possession of lands.

75. When the lands, houses, or tenements of any bankrupt or arranging debtor have been sold by or under the direction of the Court, the Court shall have power, on the application of any purchaser, to issue an order to the sheriff of the county or city where such lands, houses, or tenements are situate, to

put such purchaser into possession of all such lands, houses, or tenements not in the occupation of lessees, under lessees, or tenants, subject to whose leases, under leases, or tenancies the sale shall have been made, and who shall have attorned to such purchaser within a time to be limited in such order, and such order shall be executed by the sheriff in like manner as a writ for the delivery of possession.

Corrupt agreements with creditors.

76. If any creditor of a bankrupt or arranging debtor shall obtain or accept any sum of money, or any goods, chattels, or security for money, from a bankrupt or arranging debtor, or from any person, as an inducement for forbearing to oppose or for consenting to the allowance of the certificate of the bankrupt, or for agreeing to accept any offer of composition made by the bankrupt or his friends, or for assenting to the proposal of the arranging debtor or any modification thereof, every such creditor so offending shall lose for every such offence the treble value of amount of such money, goods, or chattels, or security so obtained or accepted by him, and the same shall be recoverable by the assignees or trustees of the bankruptcy, or by the assignees or trustees of the arranging debtor, by proceedings in the Court in the prescribed manner, and when recovered shall be deemed part of the estate and effects of the bankrupt or arranging debtor, and shall be divided among the creditors in the bankruptcy or arrangement in proportion to the amount of their debts, notwithstanding that the composition shall have been accepted or the proposal of the arranging debtor assented to; and in the event of there being any surplus after paying in full the debts of the creditors and the costs and expenses, the same shall be paid into the "unclaimed dividend account," and the bankrupt or arranging debtor shall not be entitled thereto.

Further application of interest on unclaimed dividend account.

77. The Court may at any time, if it shall think fit, order that the official assignees shall be paid out of the interest and profit arising from the unclaimed dividend account, such sum by way of indemnity in respect of any damages, costs, or expenses sustained or incurred, or to be sustained or incurred by them or either of them for or by reason of any act or matter done by them while acting as official assignees as to the Court shall appear just.

Provisions as to Absconding Debtors.

Arrest of debtor after service of summons.

78. The Court may by warrant addressed to any constable or prescribed officer of the Court, cause a debtor to be arrested and safely kept as prescribed, until such time as the Court may order, if, after a debtor's summons has been granted in the manner prescribed by this Act, and before a petition of bankruptcy can be presented against him, it appear to the Court that there is probable reason for believing that he is

about to go abroad with a view of avoiding payment of the debt for which such summons has been granted, or of avoiding the presentation of a petition in bankruptcy against him, or of avoiding examination in respect of his affairs, or otherwise avoiding, delaying, or embarrassing proceedings in bankruptcy: Provided always, that nothing herein contained shall be construed to qualify or alter the right of the debtor to apply to the Court in the prescribed manner to dismiss the said summons as in this Act is provided, or to pay, secure, or compound for the said debt within the time by this Act provided, without being deemed to have committed an act of bankruptcy; and provided also, that upon any such payment or composition being made, or such security offered as the Court shall think reasonable, the said debtor shall be discharged out of custody, unless the court shall otherwise order.

When arrest not valid.

79. No arrest shall be valid or protected under this Act unless the debtor before or at the time of his arrest shall be served with the debtor's summons.

Security for debt given after arrest.

80. No payment or composition of a debt made or security for the same given after an arrest made under the provisions of this Act shall be exempted from the operation of the said Act or this Act relating to fraudulent pretences.

Jurisdiction of Chairmen of Quarter Sessions in Bankruptcy.

Court may refer cases to chairmen of quarter sessions.

81. If any debtor who is adjudged a bankrupt after the passing of this Act shall have at the time of such adjudication a fixed place of abode situated elsewhere than within the county of the city of Dublin or the county of Dublin, the Court may, if it shall think fit, upon the application within the prescribed time and in the prescribed manner of such debtor, or of any creditor of such debtor, make an order referring all or any part of the proceedings under such adjudication to the chairman of quarter sessions within whose jurisdiction such debtor had a fixed abode at the time of such adjudication, and shall, if necessary, transmit the petition and schedule of such debtor to the clerk of the peace, and such chairman shall appoint a time and place at any court of quarter sessions held within the jurisdiction of such chairman for the hearing and carrying on of the said proceedings, or for such part thereof as shall be so referred.

Chairman to have same jurisdiction and powers as the Court.

82. Any chairman to whom any such proceedings shall be so referred shall have and possess the same power and authority with respect to the same, and shall make all such orders, give all such directions, and do all such matters and things with respect to the debtor, his schedule, creditors and

assignees, property, and debtors to his estate, final examination, and certificate, or as to the trial or directing the prosecution of such bankrupt, or as to the examination of witnesses, as the Court might make, give, or do in proceedings in bankruptcy heard before such Court under the said Act or this Act; and, if he shall deem fit, shall be at liberty to adjourn the hearing of all or any part of such proceedings from sessions to sessions as occasion may require.

Petition, &c. to be returned by the clerk of the peace to the Court.

83. Every such petition and schedule, and all judgments, rules, orders, directions, and proceedings thereon by such chairman, shall be forthwith, or as soon as conveniently may be after such hearing or adjournment thereof as the case may be, returned by the clerk of the peace to the Court, certified by such chairman and clerk of the peace respectively, to be a record of the Court, and to be kept as such among the records thereof, and the clerk of the peace is hereby required to return the same accordingly.

Clerk of peace to transmit return of quarter sessions days.

84. Every clerk of the peace shall transmit to the officer of the Court in Dublin a return of the several days for holding the quarter sessions in and for each county, forthwith, upon the appointment of the same by the chairman of each county.

Appeals from decisions of chairman.

85. Any person who shall be dissatisfied with the decision of the chairman upon any matter of law or fact arising in any proceedings referred to him under this Act, may appeal from the same to the Court within the prescribed time, and in the prescribed manner, and the decision of the Court in any such appeal shall be final.

Court to have jurisdiction before hearing any pending adjournment.

86. Nothing herein contained shall extend or be construed to deprive the Court of the power of doing, prior to any hearing before such chairman of any matter referred to him as aforesaid, or pending the adjournment of any such hearing, any matter or thing relative to such debtor, his petition and schedule, property, estate, and effects, creditors, assignees, debtors to his estate, final examination, or certificate.

Trustee Clauses.

Power of Court to summon general meeting to determine if bankrupt's estate is to be wound up by trustee.

87. Any bankrupt or any creditor or creditors of a bankrupt whose debt or the aggregate amount of whose debts is not less than fifty pounds may within the prescribed time after adjudication and in the prescribed manner apply to the Court for an order to summon a general meeting of the creditors of the bankrupt for the purpose of obtaining their sanction to the estate of the bankrupt being wound up by a trustee and a committee of inspection, as herein-after mentioned.

Meeting of creditors for appointment of trustee.

88. On the hearing of such application the Court may, if it think fit, make an order to summon a general meeting of the

creditors of the bankrupt, and the creditors at such meeting, or at any adjournment thereof, shall and may do as follows:

(1.) They may, by a special resolution as defined by this Act, declare that the estate of the bankrupt is to be wound up by a trustee and a committee of inspection:

(2.) They may by resolution appoint some fit person, whether a creditor or not, to fill the office of trustee of the property of the bankrupt, at such remuneration as they may from time to time determine, if any; or they may resolve to leave his appointment to the committee of inspection herein-after mentioned:

(3.) They shall, when they appoint a trustee, by resolution declare what security is to be given, and to whom, by the person so appointed, before he enters on the office of trustee:

(4.) They shall, when they appoint a trustee, by resolution also appoint some other fit persons, not exceeding five in number, and being creditors qualified to vote at such first meeting of creditors as is in this Act mentioned, or authorised in the prescribed form by creditors so qualified to vote, to form a committee of inspection for the purpose of superintending the administration by the trustee of the bankrupt's property:

(5.) They may by resolution give directions as to the manner in which the property is to be administered by the trustee, and it shall be the duty of the trustee to conform to such directions, unless the Court for some just cause otherwise orders.

Regulations as to first meeting of creditors.

89. The general meeting of creditors to be summoned as aforesaid by the Court, and in this Act referred to as the first meeting of creditors, shall be held in the prescribed manner and subject to the prescribed regulations as to the quorum, adjournment of meeting, and all other matters relating to the conduct of the meeting or the proceedings thereat.

Provided that,—

(1.) The meeting shall be presided over by one of the registrars of the court, or, in the event of his being unable to attend through illness or any unavoidable cause, or, if the Court shall so direct, by such chairman as the meeting may elect:

(2.) A person shall not be entitled to vote as a creditor unless at or previously to the meeting he has in the prescribed manner proved a debt provable under the bankruptcy to be due to him:

(3.) A creditor shall not vote at the said meeting in respect of any unliquidated or contingent debt, or any debt the value of which is not ascertained:

(4.) A secured creditor shall, for the purpose of voting, be deemed to be a creditor only in respect of the balance (if any) due to him after deducting the value of his security; and the amount of such balance shall, until the security be realised, be determined in the prescribed manner. He may, however, at or previously to the meeting of creditors, give up his security, and thereupon he shall rank as a creditor in respect of the whole sum due to him:

(5.) Votes may be given either personally or by proxy:

(6.) An ordinary resolution shall be decided by a majority in value of the creditors present personally or by proxy at the meeting and voting of such resolution:

(7.) A special resolution shall be decided by a majority in number, and three-fourths in value, of the creditors present personally or by proxy at the meeting and voting on such resolution.

Order for winding up by trustee, and appointment of same.

90. The passing of any such special resolution as aforesaid, and the appointment of a trustee, shall be reported to the Court, and thereupon the Court shall, if it think it reasonable and proper so to do, make an order that the estate of the bankrupt shall be wound up by a trustee and a committee of inspection. When making any such order the Court shall at the same time, upon being satisfied that the requisite security has been entered into by the said trustee, give him a certificate declaring him to be trustee of the bankruptcy named in the certificate; and such certificate shall be conclusive evidence of the appointment of the trustee, and such appointment shall date from the date of the certificate.

Real and personal estate of bankrupt to vest in trustee.

91. Upon the granting of such certificate all the estate, both real and personal, of the bankrupt shall be divested out of the official assignees, and shall be vested in the said trustee as fully as if such trustee were the assignees under any bankruptcy.

Remuneration to official assignee for services before appointment of trustee.

92. At the time of making any such order as aforesaid, or at any time thereafter, the Court may order to be paid out of the bankrupt's estate to the official assignee as a remuneration for his services (if any) from the date of the adjudication to the making of such order such fee or fees as shall upon consideration of the circumstances of the case appear to be just and reasonable, and as shall be authorised by this Act.

Conduct of bankrupt.

93. From and after the making of any such order as aforesaid the bankrupt shall, to the utmost of his power, aid the trustee in the realisation of his property and the distribution of the proceeds thereof amongst his creditors. He shall give such inventory of his property, such list of his creditors and debtors, and of the debts due to and from them respectively

submit to such examination in respect of his property or his creditors, attend such meetings of his creditors, wait at such times on the trustee, execute such powers of attorney, conveyances, deeds, and instruments, and generally do all such acts and things in relation to his property and the distribution of the proceeds amongst his creditors, as may be reasonably required by the trustee, or may be prescribed by rules of Court, or be directed by the Court by any special order or orders made in reference to any particular bankruptcy, or made on the occasion of any special application by the trustee or any creditor.

If the bankrupt wilfully fail to perform the duties imposed on him by this section, or if he fail to deliver up possession to the trustee of any part of his property, which is divisible amongst his creditors under this Act, and which may for the time being be in the possession or under the control of such bankrupt, he shall, in addition to any other punishment to which he may be subject, be guilty of a contempt of Court, and may be punished accordingly.

Conduct of trustee, and appeal to Court against trustee.

94. The trustee shall, in the administration of the property of the bankrupt and in the distribution thereof amongst his creditors, have regard to any directions that may be given by resolution of the creditors at any general meeting, or by the committee of inspection, and any directions so given by the creditors at any general meeting shall be deemed to override any directions given by the committee of inspection; the trustee shall call a meeting of the committee of inspection once at least every three months, when they shall audit his accounts, and determine whether any or what dividend is to be paid; he may also call special meetings of the said committee as he thinks necessary.

Subject to the provisions of this Act, and to such directions as aforesaid, the trustee shall exercise his own discretion in the management of the estate, and its distribution amongst the creditors. The trustee may from time to time summon general meetings of the creditors for the purpose of ascertaining their wishes; he may also apply to the Court, in manner prescribed, for directions in relation to any particular matter arising under the bankruptcy.

The bankrupt, or any creditor, debtor, or other person aggrieved by any act of the trustee, may apply to the Court, and the Court may confirm, reverse, or modify the act complained of, and make such order in the premises as it thinks just. The Court may from time to time, during the continuance of a bankruptcy, summon general meetings of the creditors for the purpose of ascertaining their wishes, and may, if the Court thinks fit, direct one of the registrars of the Court to preside at such meetings.

Regulations as to general meetings of

95. The provisions of this Act with respect to the first general meeting of creditors shall apply to any subsequent

creditors subsequent to first meeting.

general meeting of creditors in a bankruptcy, being wound up by a trustee and a committee of inspection, with this exception, that subsequent meetings of creditors may be summoned by the trustee, or by a member of the committee of inspection, and that such meetings may, unless otherwise directed by the Court in the case of meetings summoned by the Court, be presided over by any person chosen by the creditors assembled at such meeting, and that any creditor whose debt has been proved, or the value of whose debt has been ascertained at or subsequently to such first meeting, shall be allowed to be present and to vote thereat.

Trustee to keep books.

96. The trustee shall, as soon as may be, take possession of the deeds, books, and documents of the bankrupt, and all other property capable of manual delivery. The trustee shall keep, in such manner as rules of Court shall direct, proper books, in which he shall from time to time make or cause to be made entries or minutes of proceedings at meetings, and of such other matters as rules of Court shall direct, and any creditor of the bankrupt may, subject to the control of the Court, personally or by his agent inspect such books.

Disclaimer as to onerous property.

97. When any property of the bankrupt acquired by the assignees under the said Act, as amended by this Act, or by the trustee under this Act, consists of land of any tenure burdened with onerous covenants, of unmarketable shares in companies, of unprofitable contracts, or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of money, the assignees or trustee, notwithstanding that they or he have or has endeavoured to sell, or have or has taken possession of such property, or exercised any act of ownership in relation thereto, may, by writing under their or his hands or hand, disclaim such property, and upon the execution of such disclaimer, the property disclaimed shall, if the same is a contract, be deemed to be determined from the date of the order of adjudication, and if the same is a lease, be deemed to have been surrendered on the same date, and if the same be shares in any company, be deemed to be forfeited from that date, and if any other species of property, it shall revert to the person entitled on the determination of the estate or interest of the bankrupt, but if there shall be no person in existence so entitled, then in no case shall any estate or interest therein remain in the bankrupt. Any person interested in any disclaimed property may apply to the Court, and the Court may, upon such application, order possession of the disclaimed property to be delivered up to him, or make such other order as to the possession thereof as may be just.

Any person injured by the operation of this section shall be deemed a creditor of the bankrupt to the extent of such injury, and may accordingly prove the same as a debt under the bankruptcy.

Limitation of time for disclaimer.

98. The assignees or trustee shall not be entitled to disclaim any property in pursuance of this Act in cases where an application in writing has been made to them or him by any person interested in such property, requiring such assignees or trustee to decide whether they or he will disclaim or not, and the assignees or trustee have or has for a period of not less than twenty-eight days after the receipt of such application, or such further time as may be allowed by the Court, declined or neglected to give notice whether he disclaims the same or not.

Power of trustee to receive and decide on proof of debts.

99. Subject to the provisions of this Act, the trustee shall have power to receive and decide upon proof of debts in the prescribed manner, and for such purpose to administer oaths.

Power to allow bankrupt to manage property.

100. The trustee may appoint the bankrupt himself to superintend the management of the property, or of any part thereof, or to carry on the trade of the bankrupt (if any) for the benefit of the creditors, and in any other respect to aid in administering the property in such manner and on such terms as the creditors direct.

Power of trustee to compromise, &c.

101. The trustee may, with the sanction of the committee of inspection, do all or any of the following things:

(1.) Mortgage or pledge any part of the property of the bankrupt for the purpose of raising money for the payment of his debts:

(2.) Refer any dispute to arbitration, compromise all debts, claims, and liabilities, whether present or future, certain or contingent, liquidated or unliquidated, subsisting or supposed to subsist between the bankrupt and any debtor or person who may have incurred any liability to the bankrupt, upon the receipt of such sums, payable at such times, and generally upon such terms as may be agreed upon:

(3.) Make such compromise or other arrangement as may be thought expedient with creditors or persons claiming to be creditors in respect of any debts provable under the bankruptcy:

(4.) Make such compromise or other arrangement as may be thought expedient with respect to any claim arising out of or incidental to the property of the bankrupt, made or capable of being made on the trustee by any person or by the trustee on any person:

(5.) To divide in its existing form amongst the creditors, according to its estimated value, any property which from its peculiar nature or other special circumstances cannot advantageously be realised by sale.

The sanction given for the purposes of this section may be a general permission to do all or any of the above-mentioned things or a permission to do all or any of them in any specified case or cases.

Power of trustee to accept composition or general scheme of arrangement.

102. The trustee may, with the sanction of a special resolution of the creditors assembled at any meeting of which notice has been given specifying the object of such meeting, accept any composition offered by the bankrupt, or assent to any general scheme of settlement of the affairs of the bankrupt upon such terms as may be thought expedient, and with or without a condition that the order of adjudication is to be annulled, subject nevertheless to the approval of the Court, to be testified by the judge of the Court signing the instrument containing the terms of such composition or scheme, or embodying such terms in an order of the Court.

Where the annulling the order of adjudication is made a condition of any composition with the bankrupt or of any general scheme for the liquidation of his affairs, the Court, if it approves of such composition or general scheme, shall annul the adjudication on an application made by or on behalf of any person interested, and the adjudication shall be annulled from and after the date of the order annulling the same.

The provisions of any composition or general scheme made in pursuance of this Act may be enforced by the Court on a motion made in a summary manner by any person interested, and any disobedience of the order of the Court made on such motion shall be deemed to be a contempt of Court. The approval of the Court shall be conclusive as to the validity of any such composition or scheme, and it shall be binding on all the creditors so far as relates to any debts due to them and provable under the bankruptcy.

Trustee, if a solicitor, may be paid for services.

103. A trustee shall not, without the consent of the committee of inspection, employ a solicitor or other agent, but where the trustee is himself a solicitor he may contract to be paid a certain sum by way of per-centage or otherwise as a remuneration for his services as trustee, including all professional services, and any such contract shall, notwithstanding any law to the contrary, be lawful.

Trustee to pay moneys into bank.

104. The trustee shall pay all sums from time to time received by him into such bank as the majority of the creditors in number and value at any general meeting shall appoint, and failing such appointment into the Bank of Ireland; and if he at any time keep in his hands any sum exceeding fifty pounds

for more than ten days, he shall be subject to the following liabilities; that is to say,—

(1.) He shall pay interest at the rate of twenty pounds per centum per annum on the excess of such sum above fifty pounds as he may retain in his hands:

(2.) Unless he can prove to the satisfaction of the Court that his reason for retaining the money was sufficient, he shall, on the application of any creditor, be dismissed from his office by the Court, and shall have no claim for remuneration, and be liable to any expenses to which the creditors may be put by or in consequence of his dismissal.

Proof of debts before trustee.

105. All debts provable in bankruptcy under the said Act or this Act may be proved in the prescribed manner before the trustee, and the several provisions of the said Act and this Act as to the proof and ascertainment of debts, and the nature, amount, and relative priorities of same, shall extend and be applicable to all debts which shall be proved before such trustee.

An estimate shall be made according to the rules of the Court for the time being in force, so far as the same may be applicable, and when they are not applicable at the discretion of the trustee, of the value of any debt, provable as aforesaid, which by reason of its being subject to any contingency or contingencies, or for any other reason, does not bear a certain value.

Any person aggrieved by any estimate made by the trustee as aforesaid may appeal to the Court, and the Court may thereupon ascertain such value, or direct such value to be assessed in the manner provided by the said Act or this Act.

Allowance to bankrupt for maintenance or service.

106. The trustee, with the consent of the creditors, testified by a resolution passed in general meeting, may from time to time, during the continuance of the bankruptcy, make such allowance as may be approved by the creditors to the bankrupt out of his property for the support of the bankrupt and his family, or in consideration of his services if he is engaged in winding up his estate.

Distribution of dividends.

107. The trustee shall from time to time, when the committee of inspection determines, declare a dividend amongst the creditors who have proved to his satisfaction debts provable in bankruptcy, and shall distribute the same accordingly; and in the event of his not declaring a dividend for the space of six months, he shall summon a meeting of the creditors, and explain to them his reasons for not declaring the same.

Provision for creditors residing at a distance, &c.

108. In the calculation and distribution of a dividend it shall be obligatory on the trustee to make provision for debts provable in bankruptcy appearing from the bankrupt's statements, or otherwise, to be due to persons resident in places so

distant from the place where the trustee was acting that in the ordinary course of communication they have not had sufficient time to tender their proofs, or to establish them if disputed, and also for debts provable in bankruptcy, the subject of claims not yet determined.

Right of creditor who has not proved debt before declaration of a dividend.

109. Any creditor who has not proved his debt before the declaration of any dividend or dividends shall be entitled to be paid out of any moneys for the time being in the hand of the trustee any dividend or dividends he may have failed to receive before such moneys are made applicable to the payment of any future dividend or dividends, but he shall not be entitled to disturb the distribution of any dividend declared before his debt was proved by reason that he has not participated therein.

Final dividend.

110. When the trustee has converted into money all the property of the bankrupt, or so much thereof as can, in the joint opinion of himself and of the committee of inspection, be realised without needlessly protracting the bankruptcy, he shall declare a final dividend, and give notice of the time at which it will be distributed.

Bankrupt entitled to surplus.

111. The bankrupt shall be entitled to any surplus remaining after payment of his creditors, and of the costs, charges, and expenses of the bankruptcy.

No action for dividend.

112. No action or suit for a dividend shall lie against the trustee, but if the trustee refuses to pay any dividend the Court may, if it thinks fit, order the trustee to pay the same, and also to pay out of his own moneys interest thereon for the time that it is withheld, and the costs of the application.

Close of bankruptcy.

113. When the whole property of the bankrupt has been realised for the benefit of his creditors, or so much thereof as can, in the joint opinion of the trustee and committee of inspection, be realised without needlessly protracting the bankruptcy, or a composition or arrangement has been completed, the trustees shall make a report accordingly to the Court, and the Court, if satisfied that the whole of the property of the bankrupt has been realised for the benefit of his creditors, or so much thereof as can be realised without needlessly protracting the bankruptcy, or that a composition or arrangement has been completed, shall make an order that the bankruptcy has closed, and the bankruptcy shall be deemed to have closed at and after the date of such order.

A copy of the order closing the bankruptcy may be published in the Dublin Gazette, and the production of a copy of such gazette containing a copy of the order, shall be conclusive evidence of the order having been made, and of the date and contents thereof.

Release of trustee.

114. When the bankruptcy is closed the trustee shall call a meeting of the creditors to consider an application to be made to the Court for his release. At the meeting the trustee shall lay before the assembled creditors an account showing the manner in which the bankruptcy has been conducted, with a list of the unclaimed dividends, if any, and of the property, if any, outstanding, and shall inform the meeting that he proposes to apply to the Court for a release.

The creditors assembled at the meeting may express their opinion as to the conduct of the trustee, and they, or any of them, may appear before the Court, and oppose the release of the trustee.

The Court, after hearing what, if anything, can be urged against the release of the trustee, shall grant or withhold the release accordingly, and if it withhold the release shall make such order as it thinks just, charging the trustee with the consequences of any act or default he may have done or made contrary to his duty, and shall suspend his release until such charging order has been complied with, and the Court thinks just to grant the release of the trustee.

Duty of trustee as to unclaimed dividends and outstanding property.

115. Unclaimed dividends, and any other moneys arising from the property of the bankrupt, remaining under the control of the trustee at the close of the bankruptcy of any bankrupt, or accruing thereafter, shall be accounted and paid over to the "unclaimed dividend account," in the same manner in all respects as if same were unclaimed dividends in a bankruptcy under the said Act; and same shall be subject to the like orders and be applied for the same purposes as are mentioned in the said Act. The trustee shall also deliver a list of any outstanding property of the bankrupt to the prescribed persons, and the same shall, when practicable, be got in and applied for the benefit of the creditors in manner prescribed.

Effect of release of trustee.

116. The order of the Court releasing the trustee of a bankruptcy shall discharge him from all liability in respect of any act done or default made by him in the administration of the affairs of the bankrupt, or otherwise in relation to his conduct as trustee of such bankrupt; but such order may be revoked by the Court on proof that it was obtained by fraud.

Certified statement of accounts to be forwarded to Court.

117. The trustee having had his quarterly statement of accounts audited by the committee of inspection, shall, within the prescribed time, forward the certified statement in the prescribed form to such officer of the Court as the Court may from time to time direct.

Return of accounts by trustee.

118. Every trustee of a bankrupt shall from time to time, as may be prescribed, and not less than once in every year during the bankruptcy, transmit to such officer a statement showing the proceedings in such bankruptcy up to the date of the statement containing the prescribed particulars, and

made out in the prescribed form; and any trustee failing to transmit accounts in compliance with this section shall be deemed guilty of a contempt of Court, and be punishable accordingly.

Accounts to be examined.

119. The officer to whom the said statements shall be transmitted as aforesaid shall examine the same, and shall call the trustee to account for any misfeasance, neglect, or omission which may appear on such statements, and may require the trustee to make good any loss the estate of the bankrupt may have sustained by such misfeasance, neglect, or omission. If the trustee fail to comply with such requisition of such officer, such officer may report the same to the Court; and the Court, after hearing the explanation, if any, of the trustee, shall make such order in the premises as it thinks just.

Powers of officer to whom accounts are transmitted.

120. The said officer may at any time require any trustee to answer any inquiry made by him in relation to any bankruptcy in which such trustee is engaged, and may, if he think fit, apply to the Court to examine on oath such trustee or any other person concerning such bankruptcy; he may also direct a local investigation to be made of the books and vouchers of the trustees.

Regulations as to trustees, &c.

121. The following regulations shall be made with respect to the trustee and committee of inspection:

(1.) The creditors may, if they think fit, appoint more persons than one to the office of trustee, and where more than one are appointed, they shall declare whether any act required or authorised to be done by the trustee is to be done by all or any one or more of such persons, but all such persons are in this Act included under the term "trustee," and shall be joint tenants of the property of the bankrupt. The creditors may also appoint persons to act as trustees in succession in the event of one or more of the persons first named declining to accept the office of trustee:

(2.) If any vacancy occur in the office of trustee by death, resignation, or otherwise, the creditors in general meeting shall fill up such vacancy, and a general meeting for the purpose of filling up such vacancy may be convened by the continuing trustee, if there be more than one, or by the Court on the requisition of any creditor:

(3.) The Court may, upon cause shown, remove any trustee. The creditors may, by special resolution at a meeting specially called for that purpose, of which seven days notice has been given, remove the trustee and appoint another person to fill his office, and the Court shall give a certificate declaring him to be the trustee:

(4.) If a trustee be adjudged bankrupt, he shall cease to be trustee, and the court shall, if there be no other trustee, call a meeting of creditors for the appointment of another trustee in his place:

(5.) The property of the bankrupt shall pass from trustee to trustee, and shall vest in the trustee for the time being during his continuance in office, without any conveyance, assignment, or transfer whatever:

(6.) The trustee of a bankrupt may sue and be sued by the official name of "the trustee of the property of a bankrupt," inserting the name of the bankrupt, and by that name may hold property of every description, make contracts, sue and be sued, enter into any engagements binding upon himself and his successors in office, and do all other acts necessary or expedient to be done in the execution of his office:

(7.) The certificate of appointment of a trustee shall, for all purposes of any law in force in any part of the United Kingdom or in any of the dominions of Her Majesty, requiring registration, enrolment, or recording of conveyances or assignments of property, be deemed to be a conveyance or assignment of property, and may be registered, enrolled, and recorded accordingly:

(8.) Any member of the committee of inspection may resign his office by notice in writing signed by him, and delivered to the trustee:

(9.) The creditors may by resolution fix the quorum required to be present at a meeting of the committee of inspection:

(10.) Any member of the committee of inspection may also be removed by a special resolution at any meeting of creditors of which the prescribed notice has been given, stating the object of the meeting:

(11.) On any vacancy occurring in the office of a member of the committee of inspection by removal, death, resignation, or otherwise, the trustee shall convene a meeting of creditors for the purpose of filling up such vacancy:

(12.) The continuing members of the committee of inspection may act, notwithstanding any vacancy in their body; and where the number of members of the committee of inspection is for the time being less than five, the creditors may increase that number, so that it do not exceed five:

(13.) No defect or irregularity in the election of a trustee or of a member of the committee of inspection shall vitiate any act bonâ fide done by him; and no act or proceeding of the trustee or of the creditors shall

be invalid by reason of any failure of the creditors to elect all or any members of the committee of inspection:

(14.) If a member of the committee of inspection become a bankrupt his office shall thereupon become vacant:

(15.) Where there is no committee of inspection, any act or thing or any direction or consent by this Act authorised or required to be done or given by such committee may be done or given by the Court on the application of the trustee.

Court to have jurisdiction notwithstanding order to wind up by trustee, &c.

122. Where an order is made for winding up the bankrupt's estate by a trustee and committee of inspection, the Court shall, notwithstanding such order, but subject to the provisions and restrictions aforesaid, have the same powers and authorities and may make such orders, give such directions, and do all such matters and things with respect to the bankrupt, his schedule, creditors, property, debtors to his estate, and certificate, or as to the trial or directing the prosecution of such bankrupt, or as to the examination of witnesses as in proceedings in bankruptcy heard before such Court under the said Act as amended by this Act.

Evidence.

Penalty on person giving false evidence.

123. Any person who shall, upon any examination upon oath or affirmation, or in any affidavit, deposition, or declaration, or solemn affirmation, authorised or directed by the said Act as amended by this Act, or by this Act, wilfully and corruptly give false evidence, or wilfully and corruptly swear or affirm anything which shall be false, being convicted thereof, shall be liable to the penalties of wilful and corrupt perjury.

General Orders.

General orders to be made.

124. The judges of the Court shall, on or before the first day of January one thousand eight hundred and seventy-three, and from time to time thereafter, make such general orders as they may think fit for the effectual execution of this Act, and of the objects thereof, and may from time to time alter or revoke such orders, but no such general orders shall be of any force or effect until approved of by the Lord Chancellor.

Any general rules made as aforesaid may prescribe regulations as to the service of summonses and orders, including provisions for substituted service; as to the valuing of any debts provable in a bankruptcy; as to the valuation of securities held by creditors; as to the giving or withholding interest or discount on or in respect of debts or dividends; as to the funds out of which costs are to be paid, the order of payment, and the amount and taxation thereof; and as

to any other matter or thing, whether similar or not to those above enumerated, in respect to which it may be expedient to make rules for carrying into effect the objects of this Act; and any rules so made shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if they were enacted in the body of this Act.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting; and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament, and any rules so made shall be judicially noticed.

Until rules have been made in pursuance of this Act, and so far as such rules do not extend, the principles, practice, and rules on which courts having jurisdiction in bankruptcy in Ireland have heretofore acted in dealing with bankruptcy proceedings shall be observed by any Court having jurisdiction in bankruptcy cases under this Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Sections of the Irish Bankrupt and Insolvent Act, 1857, *repealed.*

Sections 35, 50, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 117, 133, 134, 143, 144, 145, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 264, 284, 338, 339, 352, 376, 377, 378, 380, 381, 382, 384, 393, 394.

SCHEDULE (B.)

Certificate of Conformity.

Court of Bankruptcy in Ireland.

In the matter of *A.B.* of a bankrupt. } WHEREAS the said *A.B.* of was on the day of duly adjudged and declared a bankrupt, and the said bankrupt has made a full disclosure and discovery of his estate and effects and in all things conformed, and so far as the Court can judge there doth not appear any reason to question the truth or fulness of such discovery.

Now this is to certify that on the day of in the year of our Lord one thousand eight hundred and , at the Court of Bankruptcy in Dublin, at a public sitting held for the allowance of this certificate to the said bankrupt, and having regard to the conformity of the said bankrupt to the law of

bankruptcy [and to his conduct as a trader before as well as after his bankruptcy],* the Court did then and there find the said bankrupt entitled to such certificate [at the expiration of from]†, and did allow the same.

Given under the seal of the Court at the Court of Bankruptcy in Ireland this day of one thousand eight hundred and .

Signed and sealed in the presence of

A.B. (L.S.)
Judge.

* In the case of a non-trader the portion between brackets is to be omitted.

† In a case where an immediate certificate is granted the portion between brackets is to be omitted.

SCHEDULE (C.)

Certificate to arranging Debtor.

Court of Bankruptcy in Ireland.

WHEREAS *A.B.* of , a debtor, unable to meet his engagements with his creditors, did on the day of present his petition to the Court under the provisions of "The Irish Bankrupt and Insolvent Act, 1857," and "The Bankruptcy (Ireland) Amendment Act, 1872," praying that a certain proposal or such modification thereof as by three-fifths in number and value of his creditors might be determined should be carried into effect, under the superintendence and control of the said Court; and whereas the Court acting in the matter of the said petition caused such sittings of the Court to be held as are directed by the said Acts; and whereas a certain resolution or agreement was duly assented to at such sittings which the Court thinking to be reasonable and proper to be executed under the direction of the said Court caused to be filed and entered of record therein; and whereas the said resolution or agreement has been fully carried into effect, the Court doth certify the several matters aforesaid, this day of , 18 .

A.B. (L.S.)
Judge.

CHAPTER 59.

An Act to amend Paragraph Three of the Second Schedule of the Elementary Education Act, 1870.

[6th August 1872.]

33 & 34 Vict. c. 75.

WHEREAS by paragraph three of the Second Schedule of the Elementary Education Act, 1870, it is provided as follows: "An order made by the Education Department under "the power contained in this part of this Schedule shall, as "regards any election held before the first day of September "one thousand eight hundred and seventy-one, be deemed to "be within the powers of this Schedule, and to have been

" duly made and have effect as if it were enacted in this " Schedule, but shall not be of any force as regards any " election after the said date unless it has been confirmed by " Parliament:"

And whereas by the Elementary Education (Elections) Act, 1871, the words "one thousand eight hundred and seventy-two" were substituted for the words "one thousand eight hundred and seventy-one" in the above-recited provision:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Alteration of date in 33 & 34 Vict. c. 75. sch. 2.

1. The words "one thousand eight hundred and seventy-three" shall be substituted for the words "one thousand eight hundred and seventy-one" in the recited part of the Second Schedule of the Elementary Education Act, 1870.

Short title.

2. This Act may be cited as "The Elementary Education (Elections) Act, 1872."

CHAPTER 60.

An Act for the better prevention of Corrupt Practices at Municipal Elections, and for establishing a Tribunal for the trial of the validity of such Elections. [6th August 1872.]

WHEREAS it is expedient to make provision for the better prevention of corrupt practices at municipal elections, and for establishing a tribunal for the trial of the validity of such elections:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited for all purposes as the "Corrupt Practices (Municipal Elections) Act, 1872."

Definitions.

2. In this Act, except where the context otherwise requires, the following words and expressions shall respectively be construed as follows, viz:

(1.) "Borough" means a place for the time being subject to the provisions of the Act of the fifth and sixth of William the Fourth, chapter seventy-six, intituled "An Act to provide for the regulation of municipal "corporations in England and Wales," as amended by the Acts amending the said Act:

"Office" means the office of mayor, alderman, councillor, auditor, or assessor, of a borough or ward of a borough:

"Election" means an election to an office:

"Candidate" means a person elected, or who has been nominated or has declared himself a candidate for election to an office:

"Canvasser" means any person who solicits or persuades, or attempts to persuade, any person to vote or to abstain from voting at an election, or to vote or to abstain from voting for any candidate at an election:

"Register" includes a burgess roll or ward list:

"Voter" means a person included in a register or who voted or claimed to vote at an election:

"Returning officer" means a person under whatever designation presiding at an election:

"Election court" means an election court constituted and acting under the provisions of this Act for the trial of a petition respecting an election:

"Superior court" means the Court of Common Pleas at Westminster:

"Prescribed" means prescribed by general rules to be made under the provisions of this Act.

(2.) This Act shall so far as is consistent with the tenor thereof be construed as one with the Acts for the time being in force relating to boroughs and to elections in boroughs.

PART I.

Corrupt Practices at Municipal Elections.

As to corrupt practices at municipal elections.

3. The offences of bribery, treating, undue influence, and personation, shall be deemed to be corrupt practices at an election for the purposes of this Act.

The terms "bribery," "treating," "undue influence," and "personation," shall respectively include anything committed or done before, at, after, or with respect to an election, which if done before, at, after, or with respect to an election of members to serve in Parliament would render the person committing or doing the same liable to any penalties, punishments, or disqualifications, for bribery, treating, undue influence, or personation, as the case may be, under any Act for the time being in force with respect to elections of members to serve in Parliament.

Any person who is guilty of a corrupt practice at an election shall be liable to the like actions, prosecutions, penalties, forfeitures, and punishments, as if the corrupt practice had been committed at an election of members to serve in Parliament.

Disqualifications of candidates personally guilty of corrupt practices.

4. Where it is found by the report of an election court acting under the provisions of this Act that any corrupt practice has been committed by or with the knowledge and consent of any candidate at an election, such candidate shall be deemed to have been personally guilty of corrupt practices at the election, and his election, if he has been elected, shall be void, and he shall (whether he was elected or not) during seven years from the date of the report be subject to the following disqualifications; viz.,

(1.) He shall be incapable of holding or exercising any municipal office or franchise, and of having his name placed on the register, or voting at any municipal election:

(2). He shall be incapable of acting as a justice of the peace and of holding any judicial office:

(3.) He shall be incapable of being elected to and of sitting or voting in Parliament:

(4.) He shall be incapable of being registered or voting as a parliamentary voter:

(5.) He shall be incapable of being employed by any candidate in any parliamentary or municipal election:

(6.) He shall be incapable of acting as overseer or as guardian of the poor.

If any person is upon an indictment or information found guilty of any corrupt practice at an election, or is in any action or proceeding adjudged to pay a penalty or forfeiture for any corrupt practice at an election, he shall, whether he was a candidate at the election or not, be subject during seven years from the date of the conviction or judgment to all the disqualifications mentioned in this section.

If at any time after any person has become disqualified by virtue of this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are upon the prosecution of such person convicted of perjury in respect of such testimony, it shall be lawful for such person to move the superior court to order, and the superior court shall, upon being satisfied that such disqualification was procured by reason of perjury, order that such disqualification shall thenceforth cease and determine, and the same shall cease and determine accordingly.

Avoidance of election for corrupt practices by agents, and for offences against this Act.

5. If it is found by an election court acting under the provisions of this Act, that a candidate has by an agent been guilty of any corrupt practice at an election, or that any act herein-after in this Act declared to be an offence against this Act has been committed at an election by a candidate or by an agent for a candidate with the candidate's knowledge and consent, the candidate shall, during the period for which he was elected to serve, or for which, if elected, he might have served, be disqualified for being elected to and for holding

any municipal office in the borough for which the election was held, and if he was elected his election shall be void.

Avoidance of election on the ground of general corruption, &c.

6. An election for a borough or a ward thereof shall be wholly avoided by such general corruption, bribery, treating, or intimidation at the election for such borough or ward as would by the common law of Parliament avoid an election of members to serve in Parliament for a parliamentary borough.

Prohibition of paid canvassers.

7. No person who is included in a register for a borough or ward thereof as a burgess or citizen shall be retained or employed for payment or reward by or on behalf of a candidate at an election for such borough or any ward thereof as a canvasser for the purposes of the election.

If any person is retained or employed by or on behalf of a candidate at an election in contravention of this prohibition, such person and also the candidate or other person by whom he is retained or employed shall be deemed to be guilty of an offence against this Act, and shall be liable on summary conviction before two justices of the peace to a penalty not exceeding ten pounds.

An agent or canvasser who is retained or employed for payment or reward for any of the purposes of an election shall not vote at the election, and if he votes he shall be guilty of an offence against this Act, and shall be liable on summary conviction before two justices of the peace to a penalty not exceeding ten pounds.

Prohibition of payment for conveyance of voters.

8. If a candidate or an agent for a candidate pays or agrees to pay any money on account of the conveyance of a voter to or from the poll, such candidate or agent shall be deemed to be guilty of an offence against this Act, and shall be liable on summary conviction before two justices of the peace to a penalty not exceeding five pounds.

Prosecutions for corrupt practices.

9. The costs and expenses of a prosecutor and his witnesses in the prosecution of any person for either of the corrupt practices of bribery, undue influence, or personation at an election, together with compensation for trouble and loss of time, shall, unless the court before which such person is prosecuted otherwise directs, be allowed, paid, and borne in the same manner in which they may be allowed, paid, and borne in cases of felony.

The clerk of the peace of the county in which a borough is situate, or in the case of a borough which is a county of a city or a county of a town or in which there is a clerk of the peace, the clerk of the peace of such county of a city or county of a town or borough, shall, if he is directed by an election court acting under the provisions of this Act to prosecute any person for either of the corrupt practices of bribery, undue influence, or personation at the election in respect of which the court acts, or to sue or proceed against any person

for penalties for bribery, treating, undue influence, or any offence against this Act at such election, prosecute, sue, or proceed against such person accordingly.

Provisions for striking off votes.

10. The votes of persons in respect of whom any corrupt practice is proved to have been committed shall be struck off on a scrutiny.

Subject to the provisions of this section a register shall for all purposes be conclusive as to the right of the persons included therein to vote at an election for the purposes whereof such register is in force; but nothing in this section shall entitle any person to vote who is by any Act or law prohibited from voting at an election on the ground of any disqualification by office or disability, nor shall relieve any such person from any penalty, liability, or punishment to which he may by law be subject by reason of his voting at an election.

As to alleged personation.

11. The provisions of the Acts for the time being in force for the detection of personation and for the apprehension of persons charged with personation at a parliamentary election shall apply in the case of a municipal election.

PART II.

Election Petitions.

Municipal elections may be questioned by petition.

12. The election of any person at an election for a borough or ward may be questioned by petition before an election court constituted as herein-after in this Act provided, and herein-after in this Act referred to as the "court," on the ground that the election was as to the borough or ward wholly avoided by general bribery, treating, undue influence, or personation, or on the ground that the election of such person was avoided by corrupt practices or offences against this Act committed at the election, or on the ground that he was at the time of the election disqualified for election to the office for which the election was held, or on the ground that he was not duly elected by a majority of lawful votes.

An election shall not, except in the manner provided by this Act, be questioned upon an information in the nature of a quo warranto or by or in any process or manner whatsoever for a matter for which it might be questioned under the provisions of this Act.

Presentation of petition.

13. The following provisions shall have effect with reference to the presentation of a petition complaining of an undue election (herein-after in this Act referred to as a "petition"):

(1.) A petition may be presented either by four or more persons who voted or who had a right to vote at the election or by a person alleging himself to have been a candidate at the election;

A petition shall be in the prescribed form and shall be signed by the petitioner or petitioners, and shall be presented to the superior court in the prescribed manner, and the prescribed officer shall send a copy thereof to the town clerk of the borough to which it relates, who shall forthwith publish it in the borough;

The terms "petitioner" and "respondent," as herein-after used in this Act, include respectively any one or more persons by whom a petition is presented, and any one or more persons against whose election a petition is presented:

(2.) A petition shall be presented within twenty-one days after the day on which the election was held, unless it complain of the election on the ground of corrupt practices, and specifically allege a payment of money or other reward to have been made or promised since the election by a person elected at the election, or on his account or with his privity, in pursuance or furtherance of such corrupt practices, in which case it may be presented at any time within twenty-eight days after the date of the alleged payment or promise, whether or not any other petition against such person has been previously presented or tried:

(3.) At the time of presenting a petition, or within three days afterwards, the petitioner shall give security for all costs, charges, and expenses which may become payable by him to any witness summoned on his behalf, or to any respondent. The security shall be to the amount of five hundred pounds, and shall be given in the prescribed manner either by a deposit of money or by recognizance entered into by not exceeding four sureties, or partly in one way and partly in the other:

(4.) Within five days after the presentation of a petition the petitioner shall in the prescribed manner serve on the respondent a notice of the presentation and of the nature of the proposed security, and a copy of the petition; and the respondent may within five days from the service of the notice object in writing to any security by way of recognizance on the ground that any surety is insufficient or is dead, or cannot be found or ascertained for want of a sufficient description in the recognizance, or that a person named in the recognizance has not duly acknowledged the same. An objection to a recognizance shall be decided in the prescribed manner:

(5.) If an objection to the security is allowed it shall be lawful for the petitioner, within a further prescribed time not exceeding five days, to remove such objec-

tion by a deposit in the prescribed manner of such sum of money as may be deemed by the court or officer having cognizance of the matter to make the security sufficient;

If on objection made the security is decided to be insufficient, and the objection is not removed in manner herein-before mentioned, no further proceedings shall be had on the petition; but otherwise on the expiration of the time limited for making objections, or, after objection made, on the sufficiency of the security being established, the petition shall be deemed to be at issue:

(6.) Where a petition complains of the conduct of a returning officer, he shall be deemed to be a respondent:

(7.) The prescribed officer shall so soon as may be make out a list of all petitions under this Act presented to the superior court which are at issue, placing them in the order in which they were presented, and shall keep at his office a copy of such list, herein-after referred to as the "Municipal Election List," open to the inspection in the prescribed manner of any person making application to inspect the same:

(8.) The petitions shall, so far as conveniently may be, be tried in the order in which they stand in such list:

(9.) Two or more candidates may be made respondents to the same petition, and their cases may be tried at the same time, but for all the purposes of this Act such petition shall be deemed to be a separate petition against each respondent:

(10.) Where more petitions than one are presented relating to the same election, or to elections held at the same time for different wards of the same borough, all such petitions shall in the municipal election list be bracketed together as one petition, but such petitions shall stand in the list in the place where the last of such petitions would have stood if it had been the only petition relating to that election, unless the superior court otherwise directs.

Constitution of election court.

14. An election court for the trial of petitions under this Act shall be constituted as follows:

(1.) A petition shall be tried by a barrister qualified and appointed as herein-after provided, without a jury:

(2.) So soon as may be after a municipal election list is made out a copy thereof shall by the prescribed officer be transmitted to each of the judges for the time being on the rota for the trial of election petitions under the provisions of the Parliamentary

Elections Act, 1868, and the said judges or any two of them shall forthwith determine the number of barristers, not exceeding five at any one time, necessary to be appointed for the trial of the petitions at issue, and shall appoint such number of barristers accordingly, and shall assign the petitions to be tried by them respectively:

(3.) No barrister shall be appointed or act for the purposes of this Act who is of less than fifteen years standing, or who is a member of Parliament, or who holds any office or place of profit under the Crown, other than that of a recorder, and no barrister shall try a petition relating to any borough for which he is recorder, or in which he resides, or which is included in a circuit of Her Majesty's judges on which he practises as a barrister:

(4.) If a barrister to whom the trial of a petition is assigned, dies, or declines or becomes incapable to act, the said judges or any two of them may assign the trial to be conducted or continued by any other of the barristers appointed as aforesaid:

(5.) The court shall for the purposes of the trial of a petition have all the same powers and privileges which a judge may have on the trial of an election petition under the provisions of the Parliamentary Elections Act, 1868, with this modification, that any fine or order of committal by the court may upon motion by the person aggrieved be discharged or varied by the superior court, or in vacation by a judge thereof, upon such terms, if any, as such superior court or judge thinks fit.

Trial of a petition.

15. The following provisions shall have effect with respect to the trial of a petition:

(1.) A petition shall be tried in open court, and notice of the time and place at which the petition will be tried shall be given not less than seven days before the day on which the trial is held, in the prescribed manner:

(2.) A petition shall be tried within the borough to which it relates; provided that, if it appear to the superior court that special circumstances exist which render it desirable that the petition should be tried elsewhere than in the borough, it shall be lawful for the superior court to appoint such other place for the trial as appears most convenient:

(3.) The court may adjourn the trial from time to time, and from any one place to any other place within the borough or place where it is held, as may seem expedient:

(4.) At the conclusion of the trial the court shall determine whether the person whose election is complained of, or any and what other person, was duly elected, or whether the election was void, and shall forthwith certify in writing the determination to the superior court, and upon the certificate being given the determination shall be final to all intents and purposes as to the matters at issue on the petition:

(5.) Where any charge is made in a petition of any corrupt practice or offence against this Act having been committed at the election to which the petition refers, the court shall, in addition to the certificate, and at the same time, report in writing to the superior court as follows:

(*a.*) Whether any corrupt practice or offence against this Act has or has not been proved to have been committed by or with the knowledge and consent of any candidate at the election, and the nature of such corrupt practice or offence against this Act;

(*b.*) The names of all persons (if any) who have been proved at the trial to have been guilty of any corrupt practice or offence against this Act;

(*c.*) Whether any corrupt practices have, or whether there is reason to believe that any corrupt practices have extensively prevailed at the election to which the petition relates, in the borough or in any ward thereof;

The court may at the same time make a special report to the superior court as to any matters arising in the course of the trial, an account of which, in the judgment of the court, ought to be submitted to the superior court:

(6.) Where, upon the application of any party to a petition made in the prescribed manner to the superior court, it appears to that court that the case raised by the petition can be conveniently stated as a special case, that court may direct the same to be stated accordingly, and any such special case shall be heard before the superior court, and the decision of the superior court shall be final:

(7.) If it appear to the court on the trial of a petition that any question of law as to the admissibility of evidence, or otherwise, requires further consideration by the superior court, the court may postpone the granting of a certificate until such question has been determined by the superior court, and for this purpose may reserve any such question, in like manner in which questions may be reserved by a judge on a trial at nisi prius:

(8.) On the trial of a petition, unless the court otherwise directs, any charge of a corrupt practice or offence against this Act may be gone into, and evidence in relation thereto received before any proof has been given of agency on behalf of any candidate in respect of such corrupt practice or offence:

(9.) On the trial of a petition complaining of an undue election and claiming the office for some person, the respondent may give evidence to prove that such person was not duly elected, in the same manner as if he had presented a petition against the election of such person:

(10.) The trial of a petition shall be proceeded with notwithstanding that the respondent has ceased to hold the office his election to which is questioned by the petition:

(11.) A copy of any certificate or report made to the superior court upon the trial of a petition or a statement of any decision made by the superior court shall by the superior court be transmitted to one of Her Majesty's Principal Secretaries of State:

(12.) A copy of any certificate made by the court to the superior court, or in the case of a decision by the superior court upon a special case a statement of such decision, shall be certified by the superior court, under the hands of two or more judges of the superior court, to the town clerk of the borough to which the petition relates.

Provisions as to witnesses.

16. The following provisions shall have effect with respect to witnesses at the trial of a petition:

(1.) Witnesses shall be summoned and sworn in the same manner, as nearly as circumstances admit, as witnesses at a trial at nisi prius, and shall be liable to the same penalties for perjury:

(2.) On the trial of a petition the court may, by order in writing, compel the attendance of any person as a witness who appears to the court to have been concerned in the election to which the petition refers, and any person refusing to obey such order shall be guilty of contempt of court. The election court may examine any witness so compelled to attend, or any person in court although such witness is not called and examined by any party to the petition. After the examination of a witness by the election court such witness may be cross-examined by or on behalf of the petitioner and respondent, or either of them:

(3.) The provisions of the seventh section of the Act of the twenty-sixth and twenty-seventh of Her Majesty, chapter twenty-nine, relating to the examination and

indemnity of witnesses, shall apply to any witness appearing before the court on the trial of a petition under this Act, and the certificate shall be given by the court; provided always, that the giving or refusal to give such certificate by the court shall be final and conclusive, and shall not be questioned by any proceeding or in any court whatsoever:

(4.) The reasonable expenses incurred by any person in appearing to give evidence at the trial of a petition according to the scale allowed to witnesses on the trial of civil actions at the assizes, may be allowed to such person by a certificate of the court or of the prescribed officer, and such expenses, if the witness was called and examined by the court, shall be deemed part of the expenses of providing a court, and in other cases shall be deemed to be costs of the petition.

Withdrawal and abatement of petitions.

17. The following provisions shall have effect with respect to the withdrawal and abatement of petitions:

(1.) A petition shall not be withdrawn without the leave of the court or superior court upon special application, to be made in and at the prescribed manner, time, and place;

No such application shall be made for the withdrawal of a petition until the prescribed notice has been given in the borough to which the petition relates, of the intention of the petitioner to make an application for the withdrawal of his petition:

(2.) On the hearing of the application for withdrawal any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition:

The court or superior court may, if it think fit, substitute as a petitioner any such applicant as aforesaid; and may further, if the proposed withdrawal is in the opinion of the court or superior court induced by any corrupt bargain or consideration, by order direct that the security given on behalf of the original petitioner shall remain as security for any costs that may be incurred by the substituted petitioner, and that to the extent of the sum named in such security, the original petitioner and his sureties shall be liable to pay the costs of the substituted petitioner:

(3.) If no such order is made with respect to the security given on behalf of the original petitioner, security to the same amount as would be required in the case of a new petition, and subject to the like conditions, shall be given on behalf of the substituted petitioner

before he proceeds with his petition, and within the prescribed time after the order of substitution:

(4.) Subject as aforesaid a substituted petitioner shall stand in the same position as nearly as may be, and be subject to the same liabilities, as the original petitioner;

If a petition is withdrawn, the petitioner shall be liable to pay the costs of the respondent;

Where there are more petitioners than one, no application to withdraw a petition shall be made except with the consent of all the petitioners:

(5.) A petition shall be abated by the death of a sole petitioner or of the survivor of several petitioners;

The abatement of a petition shall not affect the liability of the petitioner or of any other person to the payment of costs previously incurred;

On the abatement of a petition the prescribed notice of such abatement having taken place shall be given in the borough to which the petition relates, and within the prescribed time after the notice is given, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court in and at the prescribed manner, time, and place, to be substituted as a petitioner;

The court or superior court may, if it think fit, substitute as a petitioner any such applicant who is desirous of being substituted and on whose behalf security to the same amount is given as is required in the case of a new petition.

Withdrawal and substitution of respondents.

18. The following provisions shall have effect with respect to the withdrawal and substitution of respondents upon a petition:

(1.) If before the trial of a petition either of the following events happens in the case of a respondent other than a returning officer; viz.,

(*a.*) If he dies, resigns, or otherwise ceases to hold the office to which the petition relates; or

(*b.*) If he gives the prescribed notice that he does not intend to oppose the petition;

Notice of such event having taken place shall be given in the borough to which the petition relates, and within the prescribed time after the notice is given any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court to be admitted as a respondent to oppose the petition, and such person shall be admitted accordingly, and any number of persons not exceeding three may be so admitted:

(2.) A respondent who has given the prescribed notice that he does not intend to oppose the petition, shall not be allowed to appear or act as a party against such petition in any proceedings thereon.

Costs on petitions.

19. The following provisions shall have effect with respect to costs on the trial of a petition:

(1.) All costs, charges, and expenses of and incidental to the presentation of a petition, and to the proceedings consequent thereon, with the exception of such costs, charges, and expenses as are by this Act otherwise provided for, shall be defrayed by the parties to the petition in such manner and in such proportions as the court by which the petition is tried may determine; and in particular any costs, charges, or expenses which in the opinion of the court by which the petition is tried have been caused by vexatious conduct, unfounded allegations, or unfounded objections on the part either of the petitioner or the respondent, and any needless expense incurred or caused on the part of petitioner or respondent, may be ordered to be defrayed by the parties by whom it has been incurred or caused, whether such parties are or not on the whole successful:

(2.) The costs may be taxed in the prescribed manner, but according to the same principles as costs between attorney and client in a suit in the High Court of Chancery, and such costs may be recovered in the same manner as the costs of an action at law, or in such other manner as may be prescribed:

(3.) If any petitioner neglect or refuse for the space of three months after demand to pay to any person summoned as a witness on his behalf, or to the respondent, any sum certified to be due to him for his costs, charges, and expenses, and if such neglect or refusal be, within one year after such demand, proved to the satisfaction of the superior court, every person who has entered into a recognizance relating to such petition under the provisions of this Act shall be held to have made default in his said recognizance, and the prescribed officer shall thereupon certify such recognizance to be forfeited, and the same shall be dealt with in the same manner as a forfeited recognizance under the provisions of the Parliamentary Elections Act, 1868.

Reception of and attendance on the court.

20. The following provisions shall have effect with reference to the reception of the court upon the trial of a petition:

(1.) The town clerk of a borough in respect of which a petition is to be tried shall provide proper accommodation for holding the election court; and any

expenses incurred by him for the purposes of this section shall be paid by the treasurer of the borough out of the borough fund or rate:

(2.) All superintendents of police, chief constables, headboroughs, gaolers, constables, and bailiffs, shall give their assistance to the court in the execution of the duties of the said court, and if any gaoler or officer of a prison makes default in receiving or detaining a prisoner committed thereto in pursuance of the provisions of this Act he shall incur a penalty not exceeding five pounds for every day during which such default continues:

(3.) The court may employ such officers and clerks as may be allowed by general rules to be made under the provisions of this Act:

(4.) A shorthand writer shall attend at the trial of a petition, and shall be sworn by the court faithfully and truly to take down the evidence given at the trial, and shall take down the evidence at length, and a copy of the evidence so taken shall accompany the certificate of the said court, and the expenses of the shorthand writer, according to a scale to be prescribed, shall be deemed to be part of the expenses incurred in receiving the court.

Jurisdiction and general rules.

21. The following provisions shall have effect with respect to jurisdiction, and to general rules:

(1.) The judges for the time being on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, may from time to time make, revoke, and alter general rules for the effectual execution of this Act, and of the intention and object thereof, and the regulation of the practice, procedure, and costs of petitions, and the trial thereof, and the certifying and reporting thereon;

Any general rules made as aforesaid shall, in so far as they are not inconsistent with any of the provisions of this Act, be deemed to be within the powers conferred by this Act, and shall be of the same force as if they were enacted in the body of this Act;

Any general rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament:

(2.) Until general rules have been made in pursuance of this Act, and so far as such rules (when made), and the provisions of this Act, do not extend, the principles, practice, and rules which are for the time

being observed in the case of election petitions under the provisions of the Parliamentary Elections Act, 1868, shall be observed so far as may be by the court and superior court in the case of petitions under this Act:

(3.) The duties to be performed by the prescribed officer under this Act shall be performed by the prescribed officer of the superior court:

(4.) The rules and principles with regard to agency and evidence, and with regard to a scrutiny, and with regard to the declaring any person to be elected in the room of any other person who is declared to have been not duly elected, which are applicable in the case of parliamentary election petitions shall be applied so far as they are applicable in the case of a petition under this Act:

(5.) The superior court shall, subject to the provisions of this Act, have the same powers, jurisdiction, and authority with reference to an election petition and the proceedings thereon as it would have if the petition were an ordinary cause within its jurisdiction.

Miscellaneous Provisions.

Expenses of the court.

22. The remuneration and allowances to be paid to a barrister for his services in respect of the trial of a petition, and to any officers, clerks, or shorthand writers employed under the provisions of this Act, shall be fixed by a scale which shall be made and may be varied from time to time by the election judges on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, with the approval of the Commissioners of Her Majesty's Treasury, or any two or more of them, and the amount of any such remuneration and allowances shall be paid by the said Commissioners, and shall be repaid to the said Commissioners on their certificate, by the treasurer of the borough to which the petition relates, out of the borough fund or rate:

Provided that the court at its discretion may order that the whole or any part of such remuneration and allowances, or the whole or any part of the expenses incurred by a town clerk for receiving the court under the provisions of this Act, shall be repaid to the said commissioners or to the town clerk, as the case may be, in the cases, by the persons, in the manner following; viz.,

(*a.*) When in the opinion of the court a petition is frivolous and vexatious, then by the petitioner;

(*b.*) When in the opinion of the court a respondent has been personally guilty of corrupt practices at the election, then by such respondent:

And any order so made for the repayment of any sum by a petitioner or respondent may be enforced in the same way as an order for payment of costs; but any other costs or expenses payable by such petitioner or respondent to any party to the petition shall be satisfied out of any deposit or security made or given under the provisions of this Act before such deposit or security is applied for the repayment of any sum under an order made in pursuance of this section.

Acts done pending a petition not to be invalidated.

23. Where a candidate who has been elected to an office at an election is by a certificate of the court, or by a decision of the superior court, declared not to have been duly elected, acts done by him in execution of such office before the time when the certificate or decision is certified to the town clerk, shall not be invalidated by reason of his being so declared not to have been duly elected.

Provisions as to elections in the room of persons unseated on petition.

24. Where upon a petition the election of any person to an office has been declared void, and no other person has been declared elected in his room, a new election shall forthwith be held to supply the vacancy in the same manner as in the case of an extraordinary vacancy in the office; and for the purposes of any such new election any duties to be performed by a mayor, alderman, or any officer, shall, if such mayor, alderman, or officer has been declared not elected, be performed by a deputy, or other person who might have acted for him if he had been incapacitated by illness.

Computation of time.

25. In reckoning time for the purposes of this Act, Sunday, Christmas Day, Good Friday, and any day set apart for a public fast or public thanksgiving shall be excluded.

Prohibition of disclosure of vote.

26. No person who has voted at an election by ballot shall in any proceeding to question the election be required to state for whom he has voted.

Act not to apply to Scotland.

27. This Act shall not apply to Scotland.

Application of Act as herein named to Ireland.

28. This Act shall apply to Ireland; provided as follows:

(1.) "The superior court" means the Court of Common Pleas at Dublin:

(2.) "Borough" means a place for the time being subject to the provisions of the Act of the third and fourth of Her Majesty, chapter one hundred and eight, intituled "An Act for the regulation of Municipal "Corporations in Ireland," the Act of the ninth of George the Fourth, chapter eighty-two, the Towns Improvement (Ireland) Act, 1854, or of any local and personal Act providing for the election of commissioners in any towns or places for purposes similar to the purposes of the said Acts:

(3.) "Office" means either of the offices of mayor, alderman, councillor, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor, of any borough:

(4.) "Town clerk" includes a clerk to commissioners:

(5.) "Borough rate or fund" includes any rate, fund, or assessment out of which the expenses of any election to an office in a borough may be defrayed:

(6.) "County court" means a civil bill court:

(7.) "Register" has the same meaning as the term "Register of Voters" in Part II. of the First Schedule to the Ballot Act, 1872, as applied to Ireland:

(8.) "One of Her Majesty's Principal Secretaries of State" shall be construed to mean the Chief Secretary to the Lord Lieutenant of Ireland for the time being:

(9.) Petitions questioning the election of any person to any office at an election for a borough or ward on the grounds set forth in section 12 of this Act may be presented to the court as defined by the Local Government (Ireland) Act, 1871, and the same shall be presented and tried in the manner and subject to the provisions of the said Act relating to controverted elections as the same are modified by this Act; and the terms "election court" or "court" and "prescribed" in this Act shall be construed to have the same meanings respectively as the terms "court" and "prescribed" in the said Act:

(10.) Where under the provisions of this Act any general rules may be made, the same shall be made by the court in the manner and subject to the provisions of section 21 of the Local Government (Ireland) Act, 1871:

(11.) Sections 13 and 14, sub-sections (1.), (2.), and (3.) of section 15, and sub-sections (1.) and (2.) of section 20, shall not extend or apply to Ireland.

Repeal of Acts as in Schedule.

29. The Acts mentioned in the Schedule to this Act are repealed to the extent therein mentioned; but such repeal shall not affect the validity or invalidity of anything already done or suffered, or any offence already committed, or any remedy or proceeding in respect thereof, or the proof of any past act or thing.

SCHEDULE.

ACTS REPEALED.

5 & 6 Will. 4. c. 76. ss. 54 to 56, both inclusive.
22 Vict. c. 35. ss. 9 to 14, both inclusive.
3 & 4 Vict. c. 108. ss. 90, 91.

CHAPTER 61.

An Act to regulate the use of Steam Whistles in certain Manufactories. [6th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Not to apply to Scotland.

1. This Act shall not apply to Scotland.

Use of steam whistles and trumpets.

2. No person shall use or employ in any manufactory, or any other place, any steam whistle or steam trumpet for the purpose of summoning or dismissing workmen or persons employed without the sanction of the sanitary authority, and every person offending against this section shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding forty shillings for every day during which such offence continues: Provided always, that the sanitary authority, in case they have sanctioned the use of any such instrument as aforesaid, may at any time revoke such sanction on giving one month's notice to the person using the same: Provided also, that it shall be lawful for the Local Government Board, on representation made to them by any person that he is prejudicially affected by such sanction, to revoke the same, and such revocation shall have the same force and effect as if it had been made by the sanitary authority.

Definition.

3. "Sanitary authority" means the authority at the time being empowered to execute the Nuisance Removal Acts, as defined and extended by The Sanitary Act, 1866.

Legal procedure.

4. All offences and penalties under this Act may be prosecuted and recovered in England in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, and any Acts amending the same, and in Ireland, in the police district of Dublin metropolis, in manner directed by the Acts regulating the powers and duties of justices of the peace for such district, or of the police of that district, and elsewhere in manner directed by the Petty Sessions (Ireland) Act, 1851, and any Act amending the same.

CHAPTER 62.

An Act to amend and extend the provisions of the Law of Scotland on the subject of Education.

[6th August 1872.]

WHEREAS an Act was passed by the Parliament of Scotland, in the First Parliament of King William, in the year one thousand six hundred and ninety-six, intituled "Act for settling of Schools:" Act of 1696.

And whereas another Act was passed in the session of the forty-third year of the reign of His Majesty King George the Third, chapter fifty-four, intituled "An Act for making better provision for the Parochial Schoolmasters, and for making further regulations for the better government of the Parish Schools, in Scotland;" 43 G. 3. c. 54.

and another Act was passed in the session of the first and second years of the reign of Her present Majesty, chapter eighty-seven, intituled "An Act to facilitate the foundation and endowment of additional Schools in Scotland;" 1 & 2 Vict. c. 87.

and another Act was passed in the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter one hundred and seven, intituled "The Parochial and Burgh Schoolmasters (Scotland) Act, 1861:" 24 & 25 Vict c. 107.

And whereas it is desirable to amend and extend the provisions of the law of Scotland on the subject of education, in such manner that the means of procuring efficient education for their children may be furnished and made available to the whole people of Scotland:

And whereas it has been the custom in the public schools of Scotland to give instruction in religion to children whose parents did not object to the instruction so given, but with liberty to parents, without forfeiting any of the other advantages of the schools, to elect that their children should not receive such instruction, and it is expedient that the managers of public schools shall be at liberty to continue the said custom:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In this Act the following words and terms shall have the meanings hereby assigned to them, viz.: Interpretation of Act:

"Parish" shall mean any parish which does not wholly consist of a burgh or part of a burgh within the meaning of this Act, and shall include any school district formed under this Act: "Parish:"

"Burgh" shall mean any royal burgh, and any burgh or town returning or contributing as a burgh to return a member to Parliament, and shall include every town, "Burgh:"

whether a burgh or not, specified in the schedule of towns appended to this Act:

"Scotch Education Department:" "Scotch Education Department" shall mean the Lords of any Committee of the Privy Council appointed by Her Majesty on Education in Scotland:

"The Board of Education:" "The Board of Education" shall mean the Board of Education for Scotland established by this Act:

"Her Majesty's inspectors:" "Her Majesty's inspectors" shall mean the inspectors of schools appointed by Her Majesty on the recommendation of the Scotch Education Department; and "subject to inspection" shall mean subject to be inspected by the said inspectors, or any of them:

"Parliamentary grant:" "Parliamentary grant" shall mean a grant made in aid of a school out of moneys provided by Parliament for the civil service, intituled "for public education "in Great Britain:"

"Parent:" "Parent" shall include guardian and any person who is liable to maintain or has the actual custody of any child:

"Parish school:" "Parish school" shall include any school established under the recited Acts, or any of them, and any school established under this Act by the school board of a parish, or which is by this Act vested in and placed under the management of the school board of a parish:

"Burgh school:" "Burgh school" shall include any school to which that term is now legally applicable, although it may be called an academy, or a high school, or a grammar school, or any other name, and any school established in a burgh by the school board thereof, or which is by this Act vested in and placed under the management of the school board of a burgh:

"Public school:" "Public school" shall mean any parish or burgh school or any school under the management of a school board established under this Act:

"Teacher." "Teacher" shall include schoolmaster, schoolmistress, assistant teacher, pupil teacher, sewing mistress, and every person who forms part of the educational staff of a school.

Expenses of Scotch Education Department.

2. The salaries of the officers and servants of the Scotch Education Department shall be fixed with the consent of the Lords of Her Majesty's Treasury, and shall, together with the whole expenses of the said Department, be defrayed out of moneys voted by Parliament.

Board of Education for Scotland.

3. With a view to greater efficiency and convenience in the institution and organization of schools and school boards under the provisions of this Act, a Board of Education for Scotland shall be and is hereby established, to endure for the term of three years from and after the passing of this Act, with power to Her Majesty, by Order in Council made before

the expiration of that term, to extend the same for a further period of not more than two years; and with respect to the constitution of the said board the following provisions shall have effect:

(1.) The board shall consist of five members to be appointed by Her Majesty, to hold office during Her Majesty's pleasure. Any vacancy occurring during the subsistence of the board shall be supplied by a new appointment. One of the members shall be nominated by Her Majesty to be chairman of the board, and with power to him to appoint any other member to be deputy chairman, and in the absence of the chairman and deputy chairman at any meeting of the board the members present may nominate one of their number to act as chairman of the meeting. Two members shall be a quorum:

(2.) The office and general place of business of the board shall be in Edinburgh:

(3.) Her Majesty shall appoint a fit person to be secretary of the board to hold office during Her Majesty's pleasure, and the board shall appoint such necessary clerks and officers as shall be sanctioned by the Lords of Her Majesty's Treasury to hold office during the pleasure of the board:

(4.) The board may from time to time appoint any one or more of their number to perform special duties connected with the execution of this Act, and to visit such places as may be necessary for that purpose, and in the performance of their duties the member or members so appointed shall be responsible to the board and subject to their control:

(5.) The ordinary meetings of the board shall be held in Edinburgh, and it shall be the duty of the chairman or some other member of the board, as may from time to time be arranged, and of the secretary, to give regular attendance in the office of the board at ordinary business hours during at least nine months in the year, unless when absent on the business of the board or prevented by reasonable cause:

(6.) The board and the members thereof shall be responsible to the Scotch Education Department, and on the expiration of the original or extended term of their endurance their powers and duties shall devolve and are hereby devolved upon the said department, and thereafter the various clauses and provisions of this Act in which the term "Board of Education" occurs shall be construed and have effect as if the term "Scotch Education Department" were substituted therefor.

Meeting of the Board.

4. The first meeting of the Board of Education shall be held in Edinburgh on the third Friday of October one thousand eight hundred and seventy-two, or on such other day thereafter as shall be appointed by the Scotch Education Department, and at such place in Edinburgh as the said department shall appoint. Subsequent meetings shall be held at such times and places as the Board shall direct. Ordinary meetings shall be held in the office of the Board, (except during the months of August and September,) at intervals which shall not without reasonable cause exceed one month, and special meetings may be held at any time according to the pleasure of the Board. Any meeting may be adjourned.

Board to frame draft minute as to distribution of parliamentary grant.

5. The Board of Education shall submit for the consideration of the Scotch Education Department the conditions according to which, in their opinion, parliamentary grants may be most advantageously distributed in Scotland: Provided always, that the duty of determining from time to time the rates and conditions according to which the said grants may be given under the provisions of this Act, and of framing and from time to time revising the minutes containing the same, shall be upon the Scotch Education Department.

Board to make record of their proceedings, and to submit an annual report.

6. The Board of Education shall make a record of their proceedings, in which shall be entered minutes of all meetings held by them, or any committee appointed by them, and all resolutions passed and orders made by them, and all other matters which the Board may judge proper; and the Board shall, once in every year, submit a report of their proceedings under this Act, during the preceding year, to the Scotch Education Department, in order to its being laid before both Houses of Parliament.

Expenses of Board.

7. The chairman and two ordinary members and the secretary of the Board of Education shall have such salaries as may be assigned to them by the Lords of Her Majesty's Treasury, and the same, together with the whole expenses of the Board and of their establishment and reasonable travelling expenses, shall be defrayed out of money to be voted by Parliament.

Election of school boards.

8. Within twelve months after the passing of this Act a school board shall be elected in and for each and every parish and burgh, in accordance with the provisions of this Act.

Area of a parish and area of a burgh.

9. The area of a parish shall for the purposes of this Act be exclusive of the area of any burgh or part of a burgh situated therein for which a school board is required to be elected, and the area of every such burgh shall for the purposes of this Act be taken to be the limits within which the municipal, or where there are no municipal, then within which the police assessments thereof are levied; and any question or dispute regarding the area of any parish or burgh for the

purposes of this Act shall be settled by the Board of Education, or by the sheriff of the county in which the same or the greater part thereof is situated, on an application by the school board authorised by the Board of Education, and the determination of the Board of Education or of the sheriff, as the case may be, shall be final.

United parishes.

10. When two or more parishes or parts of parishes are now united, whether quoad omnia or quoad sacra, such united parishes or parts of parishes shall for the purposes of this Act be esteemed one parish.

Burghs may be united with parishes in certain cases.

11. It shall be lawful for the Board of Education, within six months after the passing of this Act, to order that any burgh with a population not exceeding three thousand shall be dealt with under this Act, and for the purposes thereof, as part of the parish in which the same or the greater part thereof is situated; and every such order shall be final, and shall not be questioned on the ground of any error in estimating the population of the burgh, or on any other ground.

First election of school boards.

12. The first election of school boards shall take place and be conducted in accordance with the following provisions:

(1.) The number of members of a school board shall be such number, not less than five and not more than fifteen, as may be determined by the Board of Education with respect to each parish and burgh:

(2.) The electors shall consist of all persons being of lawful age, and not subject to any legal incapacity whose names are entered on the latest valuation roll applicable to the parish or burgh for which the board is to be elected, made up and completed not less than one month prior to the election, as owners or occupiers of lands or heritages of the annual value of not less than four pounds, situated within such parish or burgh, and the valuation roll, or a certified copy thereof, shall be conclusive evidence that the persons therein named had and continue to have the qualifications annexed to their names respectively in the said roll:

(3.) In each parish the heritors and minister who under the law as existing at the passing of this Act have the management of the parish school and the appointment of the parish schoolmaster shall, as soon as conveniently may be after the publication of the rules and directions for the conduct of first elections of school boards to be issued as herein-after directed by the Board of Education, meet and fix a time and place for the election of a school board, and appoint a fit and proper person to be returning officer at the election, and shall make due publication of the time and place so fixed and of the person so appointed,

and transmit written intimation thereof to the Board of Education; and should such heritors and minister in any parish fail for three months after the publication of the rules as aforesaid to perform the duty hereby assigned to them and to make intimation as aforesaid to the Board of Education, the said Board shall require the sheriff of the county to perform the said duty, and he shall perform the same accordingly:

(4.) In each burgh having a town council, the town council, and in each burgh not having a town council, the bodies specified with respect to such burghs respectively in the schedule of towns hereto annexed, shall, as soon as conveniently may be after the publication of the rules and directions for the conduct of first elections of school boards, to be issued as hereinafter directed by the Board of Education, meet and fix a time and place for the election of a school board, and appoint a fit and proper person to be returning officer at the election, and shall make due publication of the time and place so fixed, and of the person so appointed, and transmit written intimation thereof to the Board of Education; and should such town council, or such bodies specified in the said schedule of towns, fail for three months after the publication of the rules as aforesaid to perform the duty hereby assigned to them and to make intimation as aforesaid to the Board of Education, the said Board shall require the sheriff of the county to perform the said duty, and he shall perform the same accordingly:

(5.) Within six months after the passing of this Act the Board of Education shall frame and issue such rules and directions as may be necessary for the conduct of the first election of school boards, and such rules and directions shall be published in the Edinburgh Gazette, and shall have the same validity and effect as if the same had been hereby enacted, and all first elections of school boards shall be conducted in accordance therewith.

At every election every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected, and may give all such votes to one candidate, or may distribute them among the candidates, as he sees fit.

No teacher of a public or State-aided school in any parish or burgh shall be eligible as a member of a school board under this Act.

Time for elections subsequent to the

13. Each school board elected under the provisions of this Act shall remain in office until a new election shall take

place as herein-after provided, and the time for every election subsequent to the first shall be appointed by the Scotch Education Department, having regard to the circumstances and convenience of the locality in which the election is to take place, and so that so far as practicable and convenient there shall be an election in each parish and burgh for which a separate school board is appointed to be elected once, and not oftener, in every period of three years, and that each school board shall remain in office for three years, and no longer; and it shall be lawful for the said department to appoint the time or times for the elections subsequent to the first in each parish and burgh by general order, which shall subsist until a new order shall be made; and the school board in office shall, a convenient time before the time so appointed for the next election, take such steps as they shall deem necessary, or as shall be directed by the said department, for the election of a new school board accordingly; and should any election not take place as required by this Act, and at the times herein-before specified, the Scotch Education Department may issue an order for an election at such time and place as the said department shall determine, or may allow the existing school board to continue in office, or may nominate a school board for the parish or burgh in which the failure has occurred, in the manner herein-after provided with respect to any parish or burgh which on the expiration of twelve months from the passing of this Act shall be without a school board, and any board so nominated shall continue in office for the same period as a board elected under this Act at the time when the failure occurred, and shall have all the powers and be required to perform all the duties of a board so elected; and should a vacancy occur in any board during the currency of its period of office, such vacancy shall be supplied by the board itself nominating a person to supply such vacancy, and every person so nominated shall go out of office at the same date as the school board.

First to be appointed by the department.

14. The candidates having the majority of votes at any election, whether the first or any subsequent election, shall be elected, and in every case of equality the returning officer shall determine which candidate is to be deemed duly elected. Any question or dispute regarding the election of a candidate shall be summarily determined by the sheriff of the county on the petition of any person interested having a legal title and interest to raise such question, and the determination shall be final; and unless and until the sheriff shall otherwise determine, the school board shall be deemed to consist of the members who have been declared by the returning officer to be elected, and the acts and proceedings of such board shall be deemed to be valid accordingly, and no subsequent declaration or finding that any member was not duly elected shall

Determination of questions regarding the election of school boards.

affect the validity of the acts and proceedings of the boards in which such member may have taken part.

Invalid elections.

15. In case the election of any person or persons shall be declared to be invalid, and the full number of members shall not, without such person or persons, have been validly elected, the school board, if a quorum exist, shall nominate and appoint a person or persons to be a member or members of the school board in room and place of such person or persons whose election has been declared to be invalid, and if a quorum do not exist, or if the school board fail for three weeks to make such nomination and appointment as aforesaid, the Board of Education may order a new election of as many members of the school board as shall be necessary to make up the full number of members; and all persons who shall be so nominated and appointed by the school board shall be deemed and taken to be duly elected members of the school board.

Notice of election to be sent by returning officer.

16. Notice of the election of a person to be a member of a school board shall be sent to that person by the returning officer, together with a notice to attend the first meeting of the school board, at the prescribed time and place; and the time and place of the first meeting shall be announced at the time of declaring the election, and the time shall be not later than fourteen days after the date of the election.

As to small parishes and school districts.

17. If the Board of Education are of opinion that any parish is too small, or contains too few inhabitants to be entitled to act as a separate parish for the purposes of this Act, they may by order direct that it shall for the purposes of this Act be added to an adjacent parish, and thereupon it shall for these purposes be deemed to be part of the parish to which it is so added. It shall be lawful for any two or more school boards of adjoining parishes, with the consent and approbation of the sheriff of the county in which such parishes or any of them are situated to separate and detach from the parishes of which they are the school boards, such portion or portions of such parishes respectively as they shall deem it expedient to unite together and form into a school district, and to form the same into a school district accordingly.

Election of a school board in a burgh for which a school board has not previously been elected.

18. It shall be lawful for the Board of Education at any time, but not before the lapse of three years after the passing of this Act, and from time to time thereafter, to order that a school board shall be elected for any burgh or town for which a school board has not previously been elected, and to frame and issue all proper rules and directions for carrying such order into execution, and from and after the period specified in the order such burgh or town shall, according to the limits thereof as specified in said order, cease for the purposes of this Act to be included in the area of the parish in which it is situated, and shall be esteemed to be a burgh within the

meaning and for the purposes of this Act, and a school board shall be elected therefor accordingly in pursuance of the order.

Parish school board may include burgh school board.

19. It shall be lawful for the Board of Education at any time, but not before the lapse of three years after the passing of this Act, and from time to time thereafter, to order that any burgh or town for which a school board has been elected shall, from and after a time to be specified in such order, cease to have a separate school board, and shall for the purposes of this Act be included in the area of the parish in which it is situated, and be subject to the school board of such parish. Any order made by the Board of Education in pursuance of the powers conferred by this and the two preceding sections shall, when no urgent reason to the contrary exists, be so framed as to come into operation at the next ensuing general election of a school board for the locality in which it is to have effect.

Time for making such alterations.

Nomination of school boards after the expiration of twelve months.

20. If on the expiration of twelve months from the passing of this Act any parish or burgh shall be without a school board elected in pursuance of this Act, the Board of Education shall nominate a school board for such parish or burgh, and the school board so nominated shall, during the period of one year from the date of nomination, and thereafter until a school board shall be elected in pursuance of this Act, have all the powers, and be required to perform all the duties by this Act imposed on and required of a school board duly elected; and the first meeting of a school board so nominated shall be held at such time and place as may be directed by the said Board of Education.

School boards shall appoint chairman.

21. Every school board shall at the first meeting after their election appoint one of their number to be chairman during the school board's tenure of office; and should the chairman be absent from any meeting of the school board, the members present shall appoint one of themselves to be chairman of the meeting; and should a vacancy occur in the office of chairman during the currency of the school board's tenure of office, it shall be supplied by a new appointment; and at every meeting the chairman shall have a deliberative, and also, in cases of equality, a casting vote; and three members of the school board shall be a quorum.

School board declared to be a body corporate.

22. The school board of every parish or burgh shall be a body corporate by the name of the school board of such parish or burgh, and shall have perpetual succession, and power to acquire and hold land for the purposes of this Act; and it shall be lawful for any school board, from time to time as they see fit, to commit the management of any school under their charge, and to delegate any of their powers under this Act, except the power of raising money, to managers appointed by them; such managers shall not be less than three in number,

Managers.

shall observe such rules, conditions, and restrictions as the school board shall from time to time prescribe, and shall all, or any of them, be removable at the pleasure of the school board, and may all, or any of them, resign on giving written notice to the school board.

Parish schools.

23. The parish and other schools which have been established and now exist in any parish under the recited Acts, or any of them, together with teachers houses and land attached thereto, shall be vested in and be under the management of the school board of such parish, or if situated in a burgh, then of the school board of such burgh, unless such parish school is the parish school of the landward district of a parish partly landward and partly burgal, in which case it shall be under the management of the school board of such district from and after the election of such school board, and the said school board shall thereafter with respect to school management and the election of teachers, and generally with respect to all powers, obligations, and duties in regard to such schools now vested in or incumbent on the heritors qualified according to the existing law and the minister of the parish, supersede and come in the place of such heritors and minister; and all jurisdiction, power, and authority possessed or exercised by presbyteries or other church courts with respect to any public schools in Scotland are hereby abolished: Provided that nothing in this section contained shall defeat or prejudice any right or title to the land whereon any such school or teachers houses shall be built, other than that of the heritors or others being managers of such school, or shall defeat or prejudice any charge, burden, or liability to which such land or houses may be subject.

Burgh schools.

24. Every burgh school shall be vested in and be under the management of the school board of the burgh in which the same is situated from and after the election of such school board, and the said school board shall thereafter with respect to school management and the election of teachers, and generally with respect to all powers and duties in regard to such schools now vested in the town council and magistrates, or other authorities in whom the school management and the election of the schoolmasters and teachers is at present vested, supersede and come in the place of such town council and magistrates or other authorities.

Public schools.

25. Every school under the management of the school board of a parish shall be deemed a parish school, and every school under the management of the school board of a burgh shall be deemed a burgh school, and all such schools are hereby declared to be public schools within the meaning of this Act; but nothing in this Act contained shall prejudice or affect the right of the teacher of any existing parish school, which, under

the operation of this Act, may be deemed to be a burgh school, or his successors in office, to participate in the benefits of any bequest for behoof of the teachers of parochial schools, or the powers, rights, and privileges of the trustees or administrators of any such bequests.

Supply of public school accommodation.

26. There shall be provided for every parish and burgh a sufficient amount of accommodation in public schools available for all persons resident in such parish and burgh for whose education efficient and suitable provision is not otherwise made, and when a sufficient amount of such accommodation is not afforded in any parish or burgh, it shall be the duty of such school board to supply the deficiency in the manner provided by this Act; and all public schools, whether existing at the passing of this Act, or subsequently supplied in manner provided by this Act, shall be vested in and shall be under the management of the school board of the parish or burgh in which they do or shall hereafter come to exist.

School boards to ascertain amount of school accommodation.

27. It shall be the duty of every school board first elected under this Act for any parish or burgh, as soon as conveniently may be after the election thereof, and of every subsequently elected school board from time to time as shall be reasonable, to ascertain and take into their consideration the educational requirements of such parish or burgh, and the extent and quality of the provisions for supplying the same by means of schools existing and in operation within, or so situated as to be conveniently available for such parish or burgh; and should the school board be of opinion that the requirements exceed the provisions for supplying the same, it shall be the duty of the school board to determine the extent to which, and the manner in which additional school accommodation ought to be and may most conveniently and advantageously be provided, so that there shall at all times be sufficient and available provision for the efficient education of all the children resident in such parish or burgh; and the school board shall forthwith report such opinion and determination to the Board of Education, and the report shall set forth all facts and circumstances which may be necessary to enable the said Board of Education to judge of such opinion and determination; and should any school board first elected under this Act be of opinion that the requirements are not in excess of the provisions, and that it is unnecessary to provide additional school accommodation, the school board shall report such opinion to the Board of Education, together with all facts and circumstances necessary to enable the said Board of Education to judge thereof; and a report in terms of the requirements of this clause shall be transmitted to the Board of Education by each school board first elected under this Act as soon as conveniently may be, and in no case later than nine months after the election of the school board.

Accommodation to be provided.

28. The Board of Education may approve of the opinion and determination of a school board with or without qualification or addition, or may direct a further report, or may direct an inquiry by officers or persons appointed by the said Board of Education; and should the said Board of Education approve, with or without qualification or addition, of the opinion and determination of the school board with respect to providing additional school accommodation, the same shall, without unnecessary delay, be acted upon and carried into effect by the school board accordingly; and should the said Board of Education see fit to direct that additional school accommodation be provided, although not determined upon by the school board, they shall have power to do so, and their direction shall be acted on and carried into effect by the school board without unnecessary delay.

Inquiry may be ordered.

29. Should any school board first elected under this Act for any parish or burgh fail to transmit a report to the Board of Education within the period herein-before specified, and should such failure continue for one month after a requisition from the said Board of Education, or should the report of any school board be, in the opinion of the Board of Education, unsatisfactory, it shall be lawful for the said Board of Education to cause inquiry to be made by officers or persons appointed by the said Board of Education into the matters which, in the opinion of the said Board of Education, such report ought to have embraced, and thereupon to make and issue such orders and directions as they shall see fit with respect to providing additional school accommodation within the parish or burgh of the defaulting school board in the same manner and with the same force and effect as if a report had been made in terms of this Act, and the expense of such inquiry, as the amount shall be certified by the said Board of Education, shall be a charge upon and shall be defrayed by the defaulting school board, and in default of payment shall be recoverable as a debt due by such board.

Existing schools to be taken into account.

30. In considering and determining whether any and what amount of public school accommodation or additional public school accommodation is required for any parish or burgh, the school board and the Board of Education shall have regard to and take into account every school, whether public or not, and whether or not situated in the said parish or burgh, which, in their opinion, gives or will when completed give efficient education to and is or will when completed be suitable and available for the education of the children of such parish or burgh, or any portion of them; and every school board and the said Board of Education shall have power to call upon all public officers and upon all clergymen, teachers, and managers of schools for such information and for access to and delivery of all such documents as shall to the said school board and

Board of Education respectively appear to be necessary to enable them to discharge their duties under this Act, and every such school board and the said Board of Education may from time to time appoint fit and proper persons to procure such information and inspect such documents, and also to enter, inspect, and examine all schools and school buildings, and scholars therein; provided that no school which is subject to inspection by one of Her Majesty's inspectors of schools shall be required to have its scholars examined by any other person.

Returns may be required from school boards.

31. It shall be lawful for the Board of Education from time to time to require from any school board a return containing such particulars with respect to the schools and the number of children requiring education in any parish or burgh as the said Board of Education may from time to time specify, and every such requisition shall be obeyed by the school board to which it is addressed, and for that purpose the school board shall have power to call upon all such persons as are in the preceding clause mentioned for such information as may be necessary to enable them to make the required return.

Mode of obtaining returns.

32. The Board of Education shall supply to the school boards such forms as may be required for the purpose of obtaining returns; and the managers or principal teacher of every school required to be included in any return shall fill up the form, and transmit the same to the school board within the time specified in the form.

Proceedings on failure of school board to make returns.

33. If a school board fail to make any return required under this Act, the Board of Education may appoint a person or persons to make such return, and the person or persons so appointed shall for that purpose have the same power and authority as the school board, and the expense of making such return shall be recoverable as a debt due by the defaulting school board to the person or persons making the same.

Inquiry by inspectors.

34. The Board of Education may appoint any persons to act as inspectors of returns, and such persons shall inquire into the accuracy and completeness of any return made in pursuance of this Act, and into the efficiency and suitability of any school included therein, or which ought to have been mentioned therein, and inspect and examine the scholars mentioned therein. When there is no return, the inspector shall proceed as if there had been a defective return.

Refusal to fill up form and to admit inspectors.

35. If the managers or teachers of any school refuse or neglect to fill up the form required for the said return, or refuse to allow the inspector to inspect the school house or examine any scholar, or examine the school books and registers, or to make copies or extracts therefrom, such school shall not be taken into consideration among the schools giving efficient education.

Maintenance of schools by school boards, &c.

36. The school board of every parish and burgh shall maintain and keep efficient every school under their management, and shall from time to time provide such additional school accommodation as they shall judge necessary.

A school board may with the sanction of the Board of Education discontinue or change the site of any school under their management, and may sell and dispose of any land and buildings connected with any school so discontinued or the site of which is so changed.

If at any time the said Board are satisfied that a school board of a parish or burgh have failed to maintain and keep efficient any school provided by them, or to provide such additional school accommodation as in the opinion of the Board is necessary to supply a sufficient amount of public school accommodation in the parish or burgh, the said Board may send them a requisition requiring them to fulfil the duty which they have so failed to perform; and the school board shall comply with the said requisition without undue delay, and if they fail may be summarily compelled to do so by the Court of Session on a petition and complaint at the instance of the Lord Advocate.

Proceedings for providing schools.

37. In performing their duties under this Act, it shall be lawful for any school board to acquire by purchase or otherwise sites for schools, teachers houses and gardens, and to enter into contracts for the erection of schools and teachers houses thereon, and to have such schools and teachers houses erected, and also to acquire by purchase or to take on lease any existing schools and teachers houses, together with any land used or suitable to be used in connexion therewith, not being schools, houses, and land of the description to which the provisions of this Act in the two immediately succeeding sections, regarding the transference of existing schools, are applicable, and from time to time to improve, enlarge, and furnish any school of which they have the management, and all charges and expenses consequently incurred by them shall be paid out of the school fund. And for the purpose of the purchase by a school board of any land or building in pursuance of the provisions of this Act, the clauses of the Lands Clauses Consolidation (Scotland) Act, 1845, with respect to the purchase of lands by agreement, shall be incorporated herewith, and the expression "the promoters of the undertaking" in the said Lands Clauses Consolidation Act shall, for the purposes of this enactment, mean the school board of any parish or burgh.

Transference of existing schools, &c.

38. With respect to schools now existing or which may hereafter exist in any parish or burgh erected or acquired and maintained or partly maintained with funds derived from contributions or donations (whether by the members of a particular church or religious body, or not) for the purpose, or authorised by the contributors or donors to be applied for the

purpose of promoting education; be it enacted, that it shall be lawful for the person or persons vested with the title to any such school, with the consent of the person or persons having the administration of the trusts upon which the same is held, to transfer such school, together with the site thereof and any land or teacher's house held and used in connexion therewith, to the school board of the parish or burgh in which it is situated, to the end and effect that such school shall thereafter be under the management of such board as a public school in the same manner as any public school under this Act, and it shall be lawful for the school board, with the sanction of the Board of Education, to accept of such transference, and on the same being made and accepted the said school, with the site and any land and teacher's house included in the transference, shall be vested in the school board, and the school shall thereafter be deemed to be a public school under this Act, and shall be maintained and managed by the school board, and be subject to all the provisions of this Act accordingly; and the existing teachers, if any, of such school may be continued as such teachers by the school board, and their continuance in office may be made a condition of the transference of the school to the school board; and when so continued such teachers shall be in all respects in the same position, and have the same rights and be subject to the same provisions as teachers appointed by a school board under this Act to a public school of the same class as the school so transferred. And the use of the school house at such times and for such purposes as shall not interfere with the use thereof under the provisions of this Act by the school board may also be made a condition of the transference thereof to the school board.

Consents to transference.

39. The consent of any number of persons having the administration of the trusts on which any school is held, to the transference of such school, with the site and house and land, if any, held and used in connexion therewith, to a school board under this Act, may be given by a majority of not less than two thirds of the persons having the administration of such trusts present at a meeting duly summoned for that purpose, and the transference may be effected by an ordinary disposition or other deed of conveyance by the persons vested with the title, recorded in the register of sasines, and no stamp or other duty shall be exigible on such disposition or other deed; and the persons whose consent is hereby required need not be parties to the conveyance, and the validity of the transference and the title of the school board shall not be subject to challenge on the ground that the requisite consents were not duly given, unless such challenge shall be judicially made within six months after the recording of the deed of conveyance.

Establishment of infant and evening schools.

40. It shall be lawful for a school board to establish and maintain one or more infant schools for the instruction of children under seven years of age, and also one or more evening schools for the instruction of scholars above thirteen years of age; and for the purposes of such evening schools a school board may use any schoolrooms vested in them under this Act, or they may hire rooms suitable and convenient for the purpose; and it shall be lawful for a school board to build, purchase, or take on lease such premises as may be necessary for the accommodation of any such infant schools as they are hereby authorised to establish and maintain; and for this purpose they shall possess and be entitled to exercise any of the powers which are by this Act conferred upon school boards; and infant and evening schools established under this Act shall be deemed public schools.

Establishment of industrial schools.

41. A school board of any parish or burgh may, with the consent of the Board of Education, establish and maintain therein certified industrial schools within the meaning of the Industrial Schools Act, 1866, and shall for that purpose have the same powers as they have for the purpose of providing sufficient public school accommodation for such parish or burgh; provided that the school board, so far as regards any such industrial school, shall be subject to the jurisdiction of one of Her Majesty's Principal Secretaries of State in the same manner as the managers of any other industrial school are subject, and such school shall be subject to the provisions of the said Act, and not of this Act.

Combination of school boards.

42. Any two or more school boards, whether of parishes or burghs, with the consent of the Board of Education, may combine and agree together for any purpose relating to public schools in such parishes and burghs, and in particular may combine and agree together for the purpose of providing, maintaining, and keeping efficient, schools common to such parishes and burghs, and for the employment of a teacher or teachers of special subjects in all or any of the public schools under their charge.

School fund.

43. The expenses of the school board, including those incident to the election thereof (but not including the expenses of any member or candidate), in any parish or burgh under this Act shall be paid out of the school fund. There shall be carried to the school fund all moneys received out of moneys provided by Parliament, or raised by way of loan, or otherwise received by the school board for the purposes of that fund, and not by this Act or otherwise specially appropriated, and any deficiency shall be raised by the school board as provided by this Act.

Power to impose rates.

44. Any sum required to meet a deficiency in the school fund, whether for satisfying present or future liabilities, shall

be provided by means of a local rate within the parish or burgh in the school fund of which the deficiency exists.

The school board of each parish and burgh shall annually and not later than the twelfth day of June in each year certify to the parochial board or other authority charged with the duty of levying the assessment for relief of the poor in such parish or burgh the amount of the deficiency in the school fund required to be provided by means of a local rate, and the said parochial board or other authority is hereby authorised and required to add the same under the name of "school rate" to the next assessment for relief of the poor, and to lay on and assess the same, one half upon the owners and the other half on the occupiers of all lands and heritages, and to levy and collect the same along with the assessment for relief of the poor when that assessment is so imposed and levied, and to pay over the amount to the school board; and where any burgh, parish, or school district with a school board under this Act shall include two or more parishes or parts of two or more parishes having separate parochial boards under the Act of the eighth and ninth years of the reign of Her present Majesty, chapter eighty-three, the school board shall certify to the parochial boards of such parishes respectively the amount of the rate on each pound of rental which they shall lay on and collect as "school rate," along with their several assessments for the relief of the poor, within such burgh, parish, or school district for which the school board acts; and any surplus of school rate which may arise in any one year shall be applied for the purposes of the succeeding year, and in like manner any deficiency which may occur in any year may be included in the assessment for the succeeding year; and should there be no assessment for the poor, or should that assessment not be laid one half on the owners and the other half on the occupiers of all lands and heritages within such parish or burgh, the school board shall be entitled and bound directly to assess for and levy the said school rate in the same manner as if it were poor's assessment duly authorised to be assessed and levied in the same manner, and for that purpose shall have all the powers and authorities of any parochial board or other authority with respect to assessing, levying, and collecting poor's assessment, and the school rate shall in all cases be levied and collected in the same manner as poor's assessment, and the laws applicable for the time to the imposition, collection, and recovery of poor's assessment shall be applicable to the school rate.

Borrowing by school board

45. Where a school board shall require to incur expense in providing or enlarging a schoolhouse, they, with the consent of the Board of Education, may spread the payment over several years, not exceeding fifty, and may for that purpose borrow money on the security of the school fund and the school

rate, and may charge that fund and the school rate with the payment of the principal and interest due in respect of the loan. They may, if they so agree with the lender, pay the amount borrowed, with the interest, by equal annual instalments, not exceeding fifty, and if they do not so agree, they shall annually set aside one fiftieth of the sum borrowed as a sinking fund.

10 & 11 Vict. c. 16.

For the purpose of such borrowing the clauses of "The "Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the commissioners, shall be incorporated with this Act; and in the construction of those clauses for the purpose of this Act, this Act shall be deemed to be the special Act, and the school board which is borrowing shall be deemed to be the commissioners.

The Public Works Loan Commissioners may lend any money required under this section on the security of the school fund and school rate without requiring any further or other security, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three and a half per centum per annum.

Funds for behoof of public schools to be transferred to school boards.

46. When, in any parish or burgh, property or money has been or shall be vested in the heritors or kirk session, or in any person or persons as trustees for behoof of such parish school, or in the town council or in the magistrates of any burgh, or in any person or persons as trustees for behoof of the burgh school or for the promotion of any branch of education in such schools respectively, or to increase the income of any teacher thereof, the income or revenue of such property or money shall, as it accrues, be accounted for and paid to the school board of such parish or burgh, and shall be applied and administered by the said board, according to the trusts attaching thereto; and the town council of every burgh shall at the term of Martinmas yearly pay to the school board thereof such sum as it has been the custom of such burgh prior to the passing of this Act to contribute to the burgh school out of the common good of the burgh, or from other funds under their charge, and the same shall be applied and administered by the said school board for the purpose of promoting higher instruction; and it shall be lawful for the school board from time to time, with the sanction of the Board of Education, to vary or depart from the said trusts, with a view to increase the efficiency of the parish or burgh school by raising the standard of education therein or otherwise; provided always, that nothing herein contained shall prejudice or interfere with the rights of any teacher or retired teacher of a parish or burgh school under any contract subsisting at the passing of the Act.

School boards may receive and administer bequests.

47. Every school board shall be at liberty to receive any property or funds which may from time to time be conveyed,

bequeathed, or gifted to such board for behoof of any school or schools under the management thereof, whether generally or for the promotion of any particular branch or branches of education or instruction, or for increasing the income of any teacher, and it shall be the duty of the board to administer such property, funds, or money according to the wishes and intentions of the donors, and in such manner as to raise the standard of education and otherwise increase the educational efficiency of the school or schools intended to be benefited.

Appointment of treasurer to school board.

48. Each school board shall at the first meeting thereof, or as soon thereafter as conveniently may be, appoint during the pleasure of the school board a fit and proper person or fit and proper persons to be treasurer to the school board, with such remuneration as the school board shall see fit, and it shall be the duty of the treasurer to keep and preserve in a proper book or books an accurate account of the school fund, and of all other property and funds under the administration of the school board, and of the expenditure thereof; and the account of the school fund shall be kept separate from the account of all other property and funds; and the amount of every property or fund held on a separate trust shall be kept separate. And once in each year an account showing the money receipts and payments of the board, and the state of the funds and property under their charge, shall be made up and transmitted, together with the vouchers, by the treasurer to the accountant of the Board of Education, who shall audit and report on the same, and re-transmit the same to the treasurer, to be preserved as the school board shall direct, and such account and vouchers shall be patent at all reasonable and convenient times to any member of the school board, or to any ratepayer who demands inspection on the written requisition of not fewer than five ratepapers. And the Board of Education, or any person they may authorise, shall be entitled to inspection of the said account and vouchers, and also of the books of the treasurer at any time; and the said Board of Education may order any account to be printed at the expense of the school board, and such order shall be obeyed without unnecessary delay.

Transmission of accounts by treasurers to accountant.

49. The first account of every treasurer shall be transmitted to the accountant on or before the first day of January one thousand eight hundred and seventy-four, made up to the term of Whitsunday one thousand eight hundred and seventy-three, and thereafter the account shall be transmitted as herein-before directed annually on the first day of January made up to the term of Whitsunday preceding; and any treasurer failing to do his duty in this respect as herein-before required, may be compelled to do so by order of the Court of Session on the petition and complaint of the accountant.

Accountant.

50. It shall be lawful for the Board of Education to appoint during their pleasure a duly qualified person to be accountant, to perform the duties herein required; and he shall have an office in Edinburgh, and shall be remunerated in such manner as the Board of Education, with the consent of the Lords of Her Majesty's Treasury, shall determine.

Abstract of receipts and expenditure to be laid before Parliament.

51. The accountant shall cause to be annually prepared an abstract showing the total amount of the receipts and expenditure of each school board, and shall transmit the same together with such report as he shall see fit to the Board of Education, who shall transmit the same to the Scotch Education Department in order that the same may be laid before Parliament.

Appointment of officers.

52. A school board may appoint a clerk or clerks and other necessary officers, to hold office during the pleasure of the school board, and may assign them such salaries or remuneration as they think fit, and may from time to time remove any of such officers but no such appointment shall be made, except at the first meeting of such school board, unless notice in writing has been sent to every member of the board.

Two or more school boards may arrange for the appointment of the same person to be the treasurer or other officer to both or all such school boards, and such treasurer and other officers shall perform such duties as may be assigned to them by the board or boards who appoint them.

School fees.

53. The school board shall, subject to the provisions hereinafter contained with respect to higher class public schools, fix the school fees to be paid for attendance at each school under their management, and such fees shall be paid to the treasurer of the board, and a separate account shall be kept of the amount of the fees derived from each school, and it shall be lawful for the school board, if they see fit, to pay to the teachers of a school the fees derived from such school, and to divide the same among them as the school board shall determine.

Teachers houses.

54. Teachers houses now existing and possessed under the recited Acts, or any of them, shall be maintained during the continuance in office of the teachers now in possession thereof, and thereafter so long as the school boards shall think proper; and it shall be lawful for school boards to provide teachers houses and gardens in such places as they judge necessary or convenient; and for this purpose they shall possess and be entitled to exercise all the powers by this Act conferred with respect to school houses or buildings.

Teachers in office before the passing of Act.

55. Subject to the provisions herein-after contained regarding the removal of the teachers of public schools appointed previously to the passing of this Act, such teachers shall not, with respect to tenure of office, emoluments, or retiring allow-

ance as by law, contract, or usage secured to or enjoyed by them at the passing of this Act, be prejudiced by any of the provisions herein contained, and such emoluments and retiring allowances shall be paid and provided by the school board having the management of such schools respectively. After the passing of this Act the right and duty to appoint teachers of public schools shall be in the respective school boards having the management of the schools, who shall assign to them such salaries or emoluments as they think fit, and every appointment shall be during the pleasure of the school board.

Teachers appointed after the passing of Act.

56. No person shall be appointed to the office of principal teacher in a public school who is not the holder of a certificate of competency. But any person who at the time of the passing of this Act is the principal teacher of a school under the recited Acts or any of them, or of a burgh school, or the holder of a certificate from, or registered as a certificated teacher by, the Lords of the Committee of Council on Education, or who is a teacher in a burgh school and a member of the council of a Scotch university, shall be deemed to be a holder of a certificate of competency.

Qualified teachers.

57. It shall be the duty of the Scotch Education Department immediately after the passing of this Act, and thereafter from to time, to make such regulations as they may see fit in regard to the time and manner and the subjects and the standards of the examinations to be passed by such persons as desire to obtain a certificate of competency, and to regulate the conditions on which candidates may be admitted to examination, and the notice to be given thereof; and such examinations shall be conducted by examiners appointed by the department from time to time, and shall be held at such times and places as shall be fixed by the Department.

Examinations of teachers.

58. Every candidate for a certificate of competency shall be examined according to the regulations issued by the Scotch Education Department, and the examiners shall satisfy themselves of his skill in the theory and practice of teaching, and make such report as to the result of the examination as may be required by the said Department, who may grant a certificate accordingly; and any certificate which may be granted by the said Department shall specify the class or degree of competency, and the subjects to which it applies, and shall be conclusive evidence that the holder thereof has passed the required examination, and has been found qualified for the said office in the class or degree or the subjects therein specified.

Certificates.

59. When a degree in arts or science of any university in the United Kingdom conferred after an examination in all or any of the subjects specified by the Department as

University degrees may come in place of examination.

subjects for the examination of candidates for a certificate of competency is held by any such candidate, the examiners may lawfully dispense with his examination in such of the said subjects as he has already been examined in on obtaining the degree.

Removal of teachers.

60. Any teacher of a public school appointed previously to the passing of this Act may be removed from his office in manner following; that is to say,

(1.) It shall be lawful to the school board of any parish or burgh to make a complaint to the sheriff of the county, charging any such teacher with immoral conduct or cruel or improper treatment of the scholars under his charge, and specifying in such complaint the particular acts in respect of which the complaint is made; and a copy of such complaint shall be served upon the teacher, who shall be required on an induciæ of eight days to appear before the sheriff to answer to the said complaint; and the teacher shall, if he deny the charge, and if he think fit, answer the particulars of the complaint in writing, or may plead generally that he is Not Guilty; and the sheriff shall thereafter proceed to the trial of the complaint, and take the evidence, in the manner observed in the Sheriff Court in taking proofs in civil causes; and if he shall find such complaint or any material and relevant part thereof to be proved, he shall give judgment accordingly, and pronounce sentence of deprivation, which sentence shall be final, and not subject to review:

(2.) If the school board of any parish or burgh shall consider that any such teacher is incompetent, unfit, or inefficient, they may require a special report regarding the school and the teacher from Her Majesty's inspector charged with the duty of inspecting such school; and on receiving such report the school board may if they see cause remove such teacher from office; provided that before proceeding to give judgment on the matter they shall furnish to the teacher a copy of such report, and that a judgment removing the teacher shall not have effect until confirmed by the Board of Education: Provided also, that in the case of teachers of parish schools appointed previously to the passing of this Act who may be so removed, the school boards shall have the same powers of granting retiring allowances, and the teachers shall have the same rights to retiring allowances, as were vested in heritors and ministers and in parish schoolmasters respectively by sections nineteen and twenty of the

Parochial and Burgh Schoolmasters (Scotland) Act, 1861, in the case of parish schoolmasters permitted or required to resign or dismissed or removed from office as therein provided.

Retiring allowance.

61. A school board may permit any teacher of a public school to resign his office upon the condition of receiving a retiring allowance, and the said board may award and pay to such teacher out of the school fund such retiring allowance as they shall think fit: Provided always, that nothing herein contained shall affect the right under the existing law to a retiring allowance of any teacher appointed under the recited Acts, or any of them.

Higher class public schools. —Burgh.

62. With respect to burgh schools existing at the passing of this Act, in which the education given does not consist chiefly of elementary instruction in reading, writing, and arithmetic, but of instruction in Latin, Greek, modern languages, mathematics, natural science, and generally in the higher branches of knowledge, the following provisions shall have effect:

(1.) Such schools shall be deemed to be higher class public schools, and shall be managed by the school boards accordingly, with a view to promote the higher education of the country:

(2.) A school board having the management of any such school may from time to time fix the standard of qualification of all or any of the teachers to be appointed thereto, and determine the subjects of the examination to be passed by them respectively, and from time to time appoint examiners (who shall be professors of some Scotch university or teachers of distinction in a higher class public school) to conduct the same, and the foregoing enactments regarding certificates of competency shall not apply to teachers of higher class public schools whose qualifications have been fixed and ascertained under this provision; but any person who at the time of the passing of this Act, being a master in a higher class school, is a member of council of any of the universities of Scotland, shall be deemed to be the holder of a certificate of competency for the office of teacher in any of the said higher class schools:

(3.) The funds and revenues of such schools shall consist of, — 1. Contributions payable from the common good of the burghs in which they respectively exist. 2. All endowments applicable to the general purposes of the respective schools. 3. Endowments for the promotion of instruction in particular subjects, or for the benefit of teachers of particular branches in the respective schools; and 4. Fees paid by scholars

And the whole funds and revenues of any such school shall be administered exclusively for the purposes thereof, and the fees of each school shall be paid to the treasurer of the board, who shall keep a separate account thereof, and the full amount of the fees shall be divided and distributed among the teachers as the board shall determine; and the Board of Education shall be entitled from time to time to require from the school board a statement of the funds and revenues of each school and of the application of the same:

(4.) A school board having the management of any such school shall, so far as practicable and expedient, subject to the approval of the Board of Education, relieve the same of the necessity of giving elementary instruction in reading, writing, and arithmetic to young children, by otherwise providing sufficient public school accommodation for such elementary instruction, so that the funds and revenues of such higher class school, and the time of the teachers may be more exclusively applied to giving instruction in the higher branches:

(5.) The fees to be paid for attendance at any such school shall be fixed from time to time, but at intervals of not less than three years, by the principal teacher and the ordinary teachers thereof, with the approval of the school board, subject to the determination of the Board of Education in the event of difference of opinion:

(6.) Every such school shall, with reference to the higher branches of knowledge taught therein, be annually examined by examiners appointed and employed for that purpose by the school board, and in fixing the periods of examination regard shall be had to the reasonable wishes of the head master and other teachers, and the expenses incident to the said examinations may be paid out of the school fund, and the houses of such schools shall be deemed school-houses within the meaning of the clause of this Act regarding the borrowing of money on the security of the school fund and school rate.

The schools specified in Schedule C. hereto annexed shall be deemed to be higher class public schools to which the foregoing provisions apply; and it shall be lawful for the school board of any burgh by resolution at a meeting specially called for the purpose on fourteen days notice in writing to each member thereof, to resolve, subject to the approval of the Board of Education, that any school under its management shall be deemed to be a higher class public school, to be managed according to the foregoing provisions.

Higher class public schools. —Parish.

63. When from the existence of any endowment or foundation in whatever form, or in whatever terms, or from any other cause, a parish school existing at the passing of this Act is in the condition of being a school in which instruction in the higher branches of knowledge is given to such extent, and to such a number of scholars, that it is not reasonably to be considered as chiefly an elementary school, it shall be lawful for the school board having the management thereof by resolution passed and approved of in manner provided in the preceding clause with reference to burgh schools, to resolve that it shall be deemed to be a higher class public school, to be managed according to the provisions of the foregoing section, and thereafter such school shall be subject to the said provisions so far as applicable to the circumstances thereof.

Funds.

64. No part of the funds or revenues of a higher class public school within the meaning of the preceding clauses shall pass into the school fund, and no part of the expenses of any such school, except as herein otherwise specially provided, shall be paid out of that fund.

Evidence of orders, &c. of Department.

65. All orders, minutes, certificates, notices, requisitions, and documents of the Scotch Education Department, if purporting to be signed by a secretary or assistant secretary of the said Department, or by any officer of the Department in Scotland, performing the duties of a secretary or assistant secretary, shall, unless the contrary is proved, be deemed to have been so signed and to have been made by the Scotch Education Department.

Inspection.

66. Every public school, and every school which is subject to inspection, shall be open at all times to the inspection of any of Her Majesty's inspectors, but it shall be no part of the duties of such inspector to inquire into any instruction in religious subjects, or to examine any scholar in religious knowledge or in any religious subject or book.

Parliamentary grant.

67. Parliamentary grants according to the rates and under the conditions contained in the minutes of the Scotch Education Department in force for the time may be made—

(1.) To any school board for and in respect of the public schools under their management:

(2.) To the managers of any school which is, in the opinion of the Scotch Education Department, efficiently contributing to the secular education of the parish or burgh in which it is situated; provided that such conditions shall not give any preference or advantage to any school on the ground that it is or is not provided by a school board.

Provided that due care shall be taken by the Scotch Education Department, in the construction of such minutes, that the standard of education which now exists in the public schools shall not be lowered, and that, as far as possible, as

high a standard shall be maintained in all schools inspected by the said Department, and provided that no such minute shall be in force until it has lain for not less than one month on the table of both Houses of Parliament.

Provided also that parliamentary grants shall not be made for or in respect of—

(*a.*) Instruction in religious subjects:

(*b.*) A school established after the passing of this Act, not being a public school, unless the said Department shall after due inquiry be satisfied that no sufficient provision exists for the children for whom the school is intended, regard being had to the religious belief of their parents, or that it is otherwise specially required in the locality where it is situated.

Where in any parish or burgh a school rate of not less than threepence in the pound on the rateable value of such parish or burgh shall be levied, and the whole produce of such rate is less than twenty pounds or than seven shillings and sixpence per child of the number of children in average attendance at the public schools provided by the school boards in such parish or burgh, such school board shall be entitled in addition to the parliamentary grant in aid of the public schools provided by them to such further sum out of moneys provided by Parliament as will, together with the produce of the rate, make up the sum of twenty pounds or seven shillings and sixpence for each such child.

No parliamentary grant shall be made in aid of building, enlarging, improving, or fitting up any school, except in pursuance of a written application from a school board, containing the information required by the Scotch Education Department for enabling them to decide thereon, and sent to the said Department on or before the thirty-first day of December one thousand eight hundred and seventy-three, but without prejudice to applications made prior to the passing of this Act being dealt with according to the existing laws; and with respect to any parish situated in the counties of Inverness Argyll, Ross, and Orkney and Shetland, where a school rate of not less than ninepence in the pound on the rateable value of such parish has been levied, such grant as aforesaid may be made of an amount not exceeding three hundred pounds for each school and one hundred pounds for each teacher's residence, without regard to the amount contributed by the school board out of the school fund or otherwise, or by local subscription towards the building, enlarging, improving, or fitting up such school or residence; and in any parish so situated where a school rate of not less than threepence in the pound on the rateable value of the parish has been levied, the annual parliamentary grant to a school shall not be reduced by its excess above the income of the school derived from fees, rates, and subscriptions.

Conscience clause.

68. Every public school, and every school subject to inspection and in receipt of any public money as herein-before provided, shall be open to children of all denominations, and any child may be withdrawn by his parents from any instruction in religious subjects and from any religious observance in any such school; and no child shall in any such school be placed at any disadvantage with respect to the secular instruction given therein by reason of the denomination to which such child or his parents belong, or by reason of his being withdrawn from any instruction in religious subjects. The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school for elementary instruction shall be either at the begnning or at the end, or at the beginning and at the end of such meeting, and shall be specified in a table approved of by the Scotch Education Department.

Parents to provide elementary education for their children, and when unable to pay fees to apply to parochial board.

69. It shall be the duty of every parent to provide elementary education in reading, writing, and arithmetic for his children, between five and thirteen years of age, and if unable from poverty to pay therefor, to apply to the parochial board of the parish or burgh in which he resides, and it shall be the duty of the said board to pay out of the poor fund the ordinary and reasonable fees for the elementary education of every such child, or such part of such fees as the parent shall be unable to pay, in the event of such board being satisfied of the inability of the parent to pay such fees, and the provisions of this clause shall apply to the education of blind children, but no such payment shall be made or refused on condition of the child attending any school in receipt of the parliamentary grant other than such as may be selected by the parent.

Defaulting parents may be proceeded against by the procurator fiscal on a certificate from the board.

70. It shall be the duty of every school board to appoint an officer to ascertain and report to the school board what parents, resident within the parish or burgh, have failed and omitted, and are failing and omitting, to perform the duty of providing for their children such elementary education as aforesaid, and it shall be the duty of such officer to keep the school board constantly informed of the names and designations of all such parents; and the clerk of the school board or some other appointed by the school board for that duty, shall keep, and from time to time revise, add to, and correct a list of all such parents and their children who have not received and are not in course of receiving such elementary education as aforesaid; and the school board is hereby authorised to summon any such parent to appear before the school board at any meeting thereof, and to require from him every information and explanation respecting his failure of duty with respect to the education of his child or children; and if he shall either fail to appear or on his appearance to satisfy the school board that he has not failed in such duty without

reasonable excuse for such failure, and shall not undertake to the satisfaction of the school board to perform such duty by forthwith providing such elementary education as aforesaid for his children, it shall be lawful to and shall be the duty of the school board to certify in writing that he has been and is grossly and without reasonable excuse failing to discharge the duty of providing elementary education for his child or children, and on such certificate being transmitted to the procurator fiscal of the county or district of the county in which the parent resides, or other person appointed by the school board, he shall prosecute such parent before the sheriff of the county for such failure of duty as is in the certificate specified, and on conviction the parent shall be liable to a penalty not exceeding twenty shillings, or to imprisonment not exceeding fourteen days; and such procedure as aforesaid may be repeated against the same parent, and in respect of a continuance of the same failure of duty, at intervals of not less than three months. All fines recovered under this clause shall be paid into the school fund.

Method of procedure.

71. Every prosecution under the preceding section shall be in the form prescribed by the "Summary Procedure (Scotland) Act, 1864," and the judgment of the sheriff therein shall be final, and shall not be subject to the review of or the proceedings to be removed to any superior court upon the merits, or on informality or want of jurisdiction, or any other ground; and expenses not exceeding twenty shillings may be awarded by the sheriff against the parent complained of, but it shall not be lawful to award expenses against the procurator fiscal; and the reasonable expenses of the prosecution, as the same may be certified by the sheriff, shall, in so far as not awarded against and recovered from the parent, be paid by the school board on whose certificate it proceeded out of the school fund.

Employers of children shall be deemed to undertake the duty of a parent,

72. Any person who receives into his house as a domestic servant, or who employs as a farm servant, or as a worker in a mine, factory, or workshop, or assistant in a shop, a child under the age of thirteen who has not attended school regularly for at least three years between the ages of five and thirteen and is unable to read and write, and who continues such child in his employment after notice from the school board of the parish or burgh, or an officer thereof, that he has not received elementary education, shall be deemed thereby to undertake the duty of a parent with respect to the elementary education of such child, so long as he remains in his employment, and shall be liable to be proceeded against, and to be fined or imprisoned as herein-before provided in the case of a parent, should he grossly and without reasonable excuse fail to perform such duty; but the duty of the parent shall not thereby be discharged or diminished, nor shall the parent be thereby exempted from liability to be proceeded against as aforesaid.

but parent not thereby exempted from liability.

Exemptions.

73. A certificate of ability to read and write, and of a knowledge of elementary arithmetic, granted in favour of any child by one of Her Majesty's inspectors, shall exempt the parent and all employers of such child from any prosecution or other proceeding under this Act for neglecting to provide for the education of such child.

Report by school board.

74. Every school board shall make such report and returns, and give such information to the Board of Education as the board may from time to time require.

Annual report.

75. The Scotch Education Department shall in every year cause to be laid before both Houses of Parliament a report of their proceedings under this Act during the preceding year; and such report shall contain a special report upon each school erected or established after the passing of this Act, not being a public school, which in the opinion of the said Department is entitled to receive parliamentary grant.

The registrar to perform certain duties imposed upon the schoolmaster of a parish.

76. The duties imposed upon the schoolmaster of a parish by the Act of the forty-second year of the reign of King George the Third, chapter ninety-one, and by the Act of the seventh year of the reign of King William the Fourth and the first year of the reign of Her present Majesty, chapter eighty-three, and by the Act of the eighth and ninth years of the reign of Her present Majesty, chapter thirty-three, and any other duties not relating to teaching which according to any law or statute in force at the date of the passing of this Act are imposed upon the schoolmaster of a parish, shall be performed by the schoolmaster of the parish in office at the date of the passing of this Act, so long as he continues to be teacher of a public school in the parish; and upon his ceasing to be teacher of a public school in the parish the said duties shall be performed by the registrar appointed for such parish, or for the registration district in which the whole or the greater part thereof is comprised under the provisions of the Act of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter eighty; and the said registrar shall do and perform all acts and things required by any such law or statute to be done and performed by such schoolmaster in the manner and subject to the conditions, and with the rights specified by such law or statute, as if he were the officer appointed by such law or statute to do and perform the same.

This Act not to affect Schoolmasters Widows Fund Act, 9 & 10 Vict. c. 226.

77. Every person who at the time of the passing of this Act is a contributor to the fund regulated by the Act ninth and tenth Victoria, chapter two hundred and twenty-six, intituled "An Act for better raising and more securely constituting the fund for the relief of widows and children of burgh and parochial schoolmasters in Scotland," shall, whether he continue in the school of which he is now teacher or be appointed teacher of any parish or burgh school by or under this Act, remain liable to all the obligations and be entitled

to all the benefits to which he would have been liable and entitled if this Act had not been passed, and if the constitution of parish and burgh schools had not been altered by this Act: Provided always, that nothing in the said Act or this Act contained shall oblige any person who shall be hereafter appointed a teacher of any parish or burgh school to contribute to the said fund unless he be a contributor at the time of the passing of this Act.

Repeal of Acts at variance with this Act.

78. The recited Acts of the first Parliament of King William, in the year one thousand six hundred and ninety-six, of the forty-third year of the reign of His Majesty King George the Third, chapter fifty-four, and of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter one hundred and seven, shall be and are hereby repealed, and all other Acts, in so far as inconsistent with the provisions of this Act, are also hereby repealed; provided always, that the assessments authorised and required to be imposed and levied by the said recited Acts, or any of them, shall continue to be imposed and levied according to the said Acts and the law as existing prior to the passing of this Act, to the extent and effect of imposing and levying in each parish in the course of the year immediately ensuing the passing of this Act, an assessment equal in amount to that which was imposed and levied in such parish in the course of the year immediately preceding the passing of this Act, and that the proceeds thereof shall be expended according to the provisions of the existing law by the authorities now charged with the administration thereof until school boards shall be elected for the respective parishes, when any portion of the said proceeds which shall then remain unexpended shall be handed over to the said school boards respectively; and further provided, that no vacancy in the office of teacher under the said recited Acts, or any of them, or in the office of teacher in a burgh school, occurring after the passing of this Act, shall be filled up, except under the provisions of this Act. But should a vacancy occur in a parish or burgh before a school board has been elected therefor, it shall be lawful for and shall be the duty of the managers of the school in which it occurs to make due provision for the temporary discharge of the duties of the vacant office until it can be filled under this Act; and provided, that any sum payable to a schoolmaster prior to the passing of this Act, under the Act of the first and second years of the reign of Her present Majesty, chapter eighty-seven, shall continue to be paid to him so long as he holds the office of schoolmaster on account of which such sum was payable to him, and shall thereafter be paid to the school board of the parish in which he held such office, for the purposes of the school fund.

Saving of rights, &c.

79. Nothing contained in this Act shall interfere with or diminish the powers, rights, and privileges of the trustees of Dr. John Milne's bequest, for the promotion of education in

the county of Aberdeen, and parish of Banchory, Devenick, in the administration and management of that bequest, or deprive any of the schools entitled at the passing of this Act to participate in said bequest of their right to do so in future, and the grants made by said trustees from the funds under their management shall continue as heretofore to be paid over by them to the teachers whom they may select to receive the same.

80. This Act may be cited for all purposes as "The Education (Scotland) Act, 1872." Short title.

SCHEDULE A.

Schedule of Towns.

Name of Town.	Municipal or Managing Body.
Girvan - - - -	Bailies and councillors.
Wick and Pulteneytown -	Town council and commissioners.
Alloa - - - -	Commissioners of police.
Kirkintilloch - - -	Bailies, treasurer, and councillors.
Dalkeith - - -	Trustees.
Broughty Ferry - -	Commissioners of police.
Bathgate - - -	Commissioners.
Kilsyth - - -	Bailie and councillors.

SCHEDULE B.

General Rules respecting Election of Members of a School Board subsequent to the First Election.

1. The number of members of the school board shall be such number not less than five nor more than fifteen as may be determined by the Scotch Education Department with respect to each parish and burgh, and, within the said limits, the number of the members of any school board may before any triennial election be changed by the said Department.

2. The electors shall consist of all persons being of lawful age, and not subject to any legal incapacity, whose names are entered on the latest valuation roll applicable to the parish or burgh for which the board is to be elected, made up and completed not less than one month prior to the election, as owners or occupiers of lands or heritages of the annual value of not less than four pounds, situated within such parish or burgh, and the valuation roll, or a certified copy thereof, shall be conclusive evidence that the persons therein named had, and continue to have, the qualifications annexed to their names respectively in the said roll.

3. The chairman of the school board shall be the returning officer, and failing him, some person appointed by the school board.

4. The election shall be held at such times, and in such manner, and in accordance with such rules and directions as the Scotch

Education Department may from time to time by order prescribe, and the Scottish Education Department may, by order, appoint or direct the appointment of any officers requisite for the purpose of such election, and do all other necessary things preliminary or incidental to such election.

5. All expenses incident to the election of a school board (but not including the expenses of any candidate) in any parish or burgh shall be paid by the said school board out of the school fund.

6. At every election every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected, and may give all such votes to one candidate or may distribute them among the candidates as he sees fit.

SCHEDULE C.

Name of Burgh.	Name of School.
Aberdeen - - -	New grammar school.
Ayr - - - -	Academy.
Dumfries - - -	Academy.
Edinburgh - - -	High school.
Elgin - - - -	Academy.
Glasgow - - -	High school.
Haddington - - -	Burgh school.
Montrose - - -	Academy.
Paisley - - -	Grammar school and academy.
Perth - - - -	Academy.
Stirling - - -	High school.

CHAPTER 63.

An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. [10th August 1872.]

WHEREAS, with a view to the revision of the Statute Law, and particularly to the preparation of the Revised Edition of the Statutes now in progress, it is expedient that certain enactments (mentioned in the schedule to this Act) which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal, or have, by lapse of time and change of circumstances, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications in the schedule mentioned: Enactments in schedule repealed.

Provided, that where any enactment not comprised in the schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act: Saving.

and the repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, or emolument, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, procedure, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's Dominions out of the United Kingdom, except where otherwise expressed in the said schedule.

2. The explanatory note of the schedule to The Statute Law Revision Act, 1871, shall be read as if the words "Edward the Third" were inserted immediately before the words "William the Third." 34 & 35 Vict. c. 116. amended.

3. This Act may be cited as The Statute Law Revision Act, 1872. Short title.

SCHEDULE.

This schedule, in referring to any section of an Act earlier than the twenty-first year of King George the Third, by its number, follows the numbering of sections in Ruffhead's edition of the Statutes by Serjeant Runnington, 1786.

A description or citation of a portion of an Act is inclusive of the words, section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end, of the portion comprised in the description or citation.

GEORGE III.

13 Geo. 3. c. 31.	An Act for the more effectual Execution of the Criminal Laws in the Two Parts of the United Kingdom.
14 Geo. 3. c. 83. in part.	An Act for making more effectual Provision for the Government of the Province of Quebec, in North America - - - - - - - } in part; namely,— Sections Three, Four, Six, and Seven. Section Eleven from "subject" to end of that Section. Sections Twelve to Seventeen. Repealed as to all Her Majesty's Dominions.
c. 88. in part.	An Act to establish a Fund towards further defraying the Charges of the Administration of Justice and Support of the Civil Government within the Province of Quebec, in America - - - } :— Except Section Five. Repealed as to all Her Majesty's Dominions.
21 Geo. 3. c. 65.	*An Act the title of which begins with the words,*—An Act for establishing an Agreement with the United Company,—*and ends with the words,*—as well in India as in Europe, and the recruiting the Military Forces of the said Company. Repealed as to all Her Majesty's Dominions.
c. 70. in part.	*An Act the title of which begins with the words,*—An Act to explain and amend so much of an Act, made in the Thirteenth Year,—*and ends with the words,*—Resistance made to the Process of the Supreme Court - - - - - } in part; namely,— Sections Twenty-seven and Twenty-eight. Repealed as to all Her Majesty's Dominions.
22 Geo. 3. c. 82. in part.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to discharge the Debt contracted,—*and ends with the words,*—Revenues of the Civil List - - - } in part; namely,— Sections Four, Fourteen, Sixteen, Seventeen, Nineteen to Twenty-three, Thirty-one to Thirty-six and Thirty-eight to Forty-one.
23 Geo. 3. c. 36.	*An Act the title of which begins with the words,*—An Act to discharge and indemnify the United Company of Merchants of England trading to the East Indies,—*and ends with the words,*—One thousand seven hundred and eighty-three. Repealed as to all Her Majesty's Dominions.
24 Geo. 3. Sess. 2. c. 25. in part.	An Act for the better Regulation and Management of the Affairs of the East India Company, and of the British Possessions in India; and for establishing a Court of Judicature for the more speedy and effectual Trial of Persons accused of Offences committed in the East Indies - - - } in part; namely,— Sections One to Sixty-three. Repealed as to all Her Majesty's Dominions.

25 Geo. 3. c. 70.	An Act to rectify a Mistake in an Act, passed in this present Session of Parliament, intituled, An Act to repeal the Duties on Male Servants; and for granting New Duties on Male and Female Servants.
c. 84. in part.	*An Act the title of which begins with the words,*—An Act to limit the Duration of Polls and Scrutinies, *—and ends with the words,*—want of Returns being made of Members to serve in Parliament - } in part; namely,— Section One from "but so as that no Poll" to "same Day" and from "unless the" to end of that Section. Sections Two, Five, Six, Nine to Twelve, Fourteen and Sixteen.
26 Geo. 3. c. 57. in part.	*An Act the title of which begins with the words,*—An Act for the further Regulation of the Trial of Persons,—*and ends with the words,*—Deeds and Writings executed in Great Britain or India - } in part; namely,— Sections Thirty-one, Thirty-six and Thirty-seven. Repealed as to all Her Majesty's Dominions.
c. 81.	An Act for the more effectual Encouragement of the British Fisheries.
28 Geo. 3. c. 8. -	*An Act the title of which begins with the words,*—An Act for removing any Doubt respecting the Power of the Commissioners for the Affairs of India, *—and ends with the words,*—Revenues in the Manner therein mentioned. Repealed as to all Her Majesty's Dominions.
31 Geo. 3. c. 31. in part.	*An Act the title of which begins with the words,*—An Act to repeal certain Parts of an Act, passed in the Fourteenth Year,—*and ends with the words,*—Government of the said Province - - } :— Except Sections Thirty-eight to Forty and Forty-three to Forty-five. Repealed as to all Her Majesty's Dominions.
32 Geo. 3. c. 63. in part.	An Act for granting Relief to Pastors, Ministers, and Lay Persons of the Episcopal Communion in Scotland - - - - - - - } in part; namely,— Section One.
33 Geo. 3. c. 52. in part.	*An Act the title of which begins with the words,*—An Act for continuing in the East India Company, *—and ends with the words,*—Government of the Towns of Calcutta, Madras, and Bombay - } in part; namely,— Sections Seventy-one to One hundred and thirty-six, One hundred and thirty-eight, One hundred and thirty-nine and One hundred and forty-two to One hundred and fifty. Repealed as to all Her Majesty's Dominions.
34 Geo. 3. c. 73.	An Act for directing the Appointment of Commissioners, to administer certain Oaths and Declarations required by Law to be taken and made by Persons offering to vote at the Election of Members to serve in Parliament.
36 Geo. 3. c. 52. in part.	An Act for repealing certain Duties on Legacies and Shares of Personal Estates, and for granting other Duties thereon, in certain cases - - - } in part; namely,— Sections One to Three, Seven, Thirty-six and Forty-two.
37 Geo. 3. c. 25. in part.	An Act for the better raising and ordering the Militia Forces of the Tower Hamlets, in the County of Middlesex - - - - - } in part; namely,— Section Three from "the Names" to end of that Section. Section Eleven from "and every Deputy Lieutenant" to end of that Section. Section Twelve, the words "Colonels, Lieutenant Colonels, or Majors," and from "and if any Person" to "fifty Pounds;".
c. 31.	An Act to enable the East India Company to raise Money by further increasing their Capital Stock, and to extend the Provisions now existing, respecting the present Stock of the Company to the said increased Stock. Repealed as to all Her Majesty's Dominions.

38 Geo. 3. c. 5. in part.	An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety-eight - - - - - - in part; namely,— Section Three. Section Four from "for and upon the said Offices" to "aforesaid, and". Section Eight from "upon all ready Money" to "to this Act, and" and from "and the said Commissioners are hereby required" to end of that Section. Section Nine from "and are hereby" to end of that Section. Sections Ten to Twelve. Section Thirteen from "which said Receivers General" to end of that Section. Sections Twenty, Thirty-two, Thirty-three, Fifty-one and Fifty-two. Section Fifty-three from "where any Person" to "shall be; and". Section Fifty-four. Section Fifty-seven so far as it relates to salaries or pensions. Sections Sixty-two to Sixty-five, Sixty-nine, Seventy-two, Seventy-three, Seventy-six, Eighty-one, Eighty-two, Eighty-five, One hundred to One hundred and four, One hundred and eight and One hundred and nine. Section One hundred and eleven so far as it relates to distresses in pursuance of any former Act. Sections One hundred and twelve, One hundred and thirteen, One hundred and fifteen to One hundred and nineteen and One hundred and twenty-one to One hundred and twenty-three. Section One hundred and thirty-one to "respectively; and".
c. 48. in part.	An Act to alter and amend so much of an Act, passed in this present Session of Parliament, intituled An Act for granting an Aid to His Majesty by a Land Tax, to be raised in Great Britain, for the service of the Year One thousand seven hundred and ninety-eight, as relates to the Qualification of Commissioners - - - - in part; namely,— Section Two.
39 & 40 Geo. 3. c. 81. in part.	An Act to repeal an Act, made in the Fourteenth Year of the Reign of His present Majesty, intituled An Act to prevent Frauds in the buying and selling of Hops, and for the better Collection of the Duty on Hops; and to prevent Frauds and Abuses in the Trade of Hops - - :— Except Section Three.
41 Geo. 3. (U.K.) c. 1.	*An Act the title of which begins with the words,*—An Act to suspend, until the Twenty-fifth day of March,—*and ends with the words,*—Flour of such other Grain finer than is prescribed by the said Act.
c. 2.	*An Act the title of which begins with the words,*—An Act to repeal an Act made in the last Session,—*and ends with the words,*—Flour of a finer Description than allowed by the said Act.
c. 4.	An Act to enable the Lords Commissioners of His Majesty's Treasury to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament, for the Service of the Year One thousand eight hundred and one.
c. 5.	An Act to enable His Majesty to grant a certain Annuity to Captain Sir Sidney Smith, in consideration of the eminent Services which he has rendered during his Command on the Coast of Egypt.
c. 11.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 13.	An Act for increasing the Bounties granted by an Act of the last Session of Parliament, on Flour imported from America, in Ships which shall have cleared out between certain Periods.

c. 14.	*An Act the title of which begins with the words,*—An Act for amending and further continuing, until the Twenty-fourth Day of June,—*and ends with the words,*—Properties of His Majesty's faithful Subjects within the same.
c. 15.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-Fourth Day of June,—*and ends with the words,*—conspiring against His Majesty's Person and Government.
c. 16.	An Act to prohibit, until the Twenty-fifth Day of March One thousand eight hundred and two, the making of Malt and the distilling of Spirits from Corn or Grain in Ireland.
c. 17.	An Act for continuing, until the Twenty-fifth Day of March One thousand eight hundred and two, certain Acts of the last Session of the Parliament of Ireland, for granting Duties to His Majesty.
c. 18.	An Act for the Regulation of His Majesty's Marine Forces while on Shore, until the Twenty-fifth Day of March One thousand eight hundred and two.
c. 19.	*An Act the title of which begins with the words,*—An Act for reviving and continuing, until the First Day of October,—*and ends with the words,*—obstructing Seamen and others from pursuing their lawful Occupations.
c. 20.	*An Act the title of which begins with the words,*—An Act to extend, until the Twenty-ninth Day of September,—*and ends with the words,*—Cultivation of Potatoes in Open and Common Field Lands.
c. 22.	An Act to render valid Indentures of Apprenticeship of Poor Children and others, made upon improper Stamps, upon certain Conditions; and to indemnify all Persons who may have incurred Penalties thereby.
c. 23. in part.	An Act for the better Collection of Rates made for the Relief of the Poor - - - - } in part; namely,— Section Nine.
c. 25. in part.	An Act for the better Regulation of the Office of Master of the Rolls, in that part of the United Kingdom called Ireland; and for augmenting the Salary annexed to the said Office - - - } in part; namely,— Section One from "but subject" to "Time being;". Section Two.
c. 26.	*An Act the title of which begins with the words,*—An Act for reviving and further continuing, until Six Weeks after,—*and ends with the words,*—conspiring against His Person and Government.
c. 27.	An Act for granting to His Majesty a certain Sum of Money for the Service of Great Britain, to be raised by a Lottery.
c. 30.	An Act to revive and continue, until Six Weeks after the Commencement of the next Session of Parliament, an Act, made in the Thirty-sixth Year of the Reign of His present Majesty, intituled An Act for the more effectually preventing seditious Meetings and Assemblies.
c. 31.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Fifth Day of July,—*and ends with the words,*—Barley damaged by Rain in the last Harvest.
c. 32. in part.	An Act for granting to His Majesty several Sums of Money for defraying the Charge of certain permanent Services in that Part of the United Kingdom called Ireland - - - - - - } in part; namely,— The first, second, third, fifth, sixth, eighth, ninth, eleventh, twelfth, sixteenth, twenty-first, twenty-second, twenty-third, twenty-fourth, thirtieth and thirty-second items in Section One. Section Three to "obtained in that Behalf; and".
c. 34.	An Act for granting Bounties on the Importation into Ireland of Wheat, Barley, Rye, Oats, and Indian Corn, and of Barley, Rye, Oats, Indian Meal, and Wheaten Flour and Rice.

c. 35.	An Act for encreasing the Rates of Subsistence to be paid to Inkeepers and others on quartering Soldiers.
c. 36.	*An Act the title of which begins with the words,*—An Act for enabling the Lord Lieutenant,—*and ends with the words,*—Proclamations of the Lord Lieutenant and Council of Ireland.
c. 37.	An Act for making Provision for the Entry and Return Voyages of certain Ships which may import Rice or other Grain from the East Indies, and to authorize the Importation of Rice or other Grain into Ireland, in Ships coming directly from the East Indies.
c. 39.	An Act for the more effectually preventing the Forgery of Bank Notes, Bank Bills of Exchange, and Bank Post Bills.
c. 41.	An Act for allowing, until the Twentieth Day of August One thousand eight hundred and one, the Importation into Ireland of British and Foreign Hops at a like Duty as is payable in Great Britain for the same.
c. 43.	An Act for defraying the Charge of the Pay and Cloathing of the Militia in England for the year One thousand eight hundred and one.
c. 44.	*An Act the title of which begins with the words,*—An Act for reviving, continuing until the Twentieth Day of May,—*and ends with the words,*—Drawbacks on Sugar exported, until the Tenth Day of May One thousand eight hundred and one.
c. 45.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-ninth Day of September,—*and ends with the words,*—granting Annuities in Manner therein provided.
c. 46.	An Act to render valid all Acts done in Execution of Three several Orders of His Majesty in Council, relating to Bills of Exchange drawn by Persons in Russia, and to Freight of Russia, Swedish, and Danish Ships.
c. 47.	An Act to amend and continue until the Twenty-ninth Day of September One thousand eight hundred and two, an Act passed in Ireland in the Fortieth Year of the Reign of His present Majesty, intituled An Act for regulating the Trade of a Distiller, and for securing the Duties payable on Home-made Spirits.
c. 49.	An Act to indemnify Persons who have omitted to qualify themselves for Offices or Employments in Ireland according to Law.
c. 51.	An Act to permit Portugal Wine to be landed and warehoused without Payment of Duties, under certain Restrictions, for a limited Time.
c. 52. in part.	*An Act the title of which begins with the words,*—An Act for declaring what Persons shall be disabled,—*and ends with the words,*—Commons of the Parliament of the said United Kingdom - - } in part; namely,— Section Four from "Nor any Person who shall be a Commissioner for" to "Imprest Accounts," from "or of the Auditor" to "Tellers of "the Exchequer," and the words "or of the Commissioners of "Appeals". Section Seven. Section Eight, the words "the Commissioners of Imprest Accounts, "and".
c. 54.	*An Act the title of which begins with the words,*—An Act to continue, until the Fifth Day of July,—*and ends with the words,*—and also to repeal and amend certain of the Provisions of the said Act.
c. 55.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Twenty-fifth Day of March,—*and ends with the words,*—and to amend the said Act.
c. 56.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Time of Peace.
c. 58.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty, until the Twenty-fifth Day of March,—*and ends with the words,*—Kerry Bonds, which have been executed without being duly stamped.

c. 59.	An Act for settling and securing a certain Annuity on Lady Abercromby, Baroness Abercromby of Aboukir, and the Two next Persons to whom the Title of Baron Abercromby shall descend, in consideration of the eminent Merits of the late Right Honourable General Sir Ralph Abercromby.
c. 61.	*An Act the title of which begins with the words,*—An Act for further continuing until the Twenty-fifth Day of March,—*and ends with the words,*—Property of His Majesty's faithful subjects within the same.
c. 63. in part.	An Act to remove Doubts respecting the Eligibility of Persons in Holy Orders to sit in the House of Commons - - - - - - } in part; namely,— Section Two from "Provided" to end of that Section.
c. 64.	An Act for the further Relief of Debtors, with respect to the Imprisonment of their Persons.
c. 66.	An Act for indemnifying such Persons as since the First Day of February One thousand seven hundred and ninety-three, have acted in the apprehending, imprisoning, or detaining in Custody, in Great Britain, of Persons suspected of High Treason or Treasonable Practices.
c. 67.	An Act to amend several Acts for raising a Militia Force in Scotland.
c. 70.	An Act for the Relief of certain Insolvent Debtors.
c. 73.	An Act for directing the Application of several Sums granted by Parliament to the Dublin Society, and to the Farming Societies in Ireland.
c. 77.	An Act for allowing, until the First Day of August One thousand eight hundred and two, the Importation of certain Fish from Newfoundland and the Coast of Labrador, and for granting a Bounty thereon.
c. 79. in part.	An Act for the better Regulation of Publick Notaries in England - - - - - - } in part; namely,— Sections Six, Eleven, Twelve and Fifteen.
c. 81.	An Act for enabling His Majesty to raise the Sum of Two Millions for the Uses and Purposes therein mentioned.
c. 82.	An Act for raising the Sum of Six millions five hundred thousand Pounds by Loans or Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and one.
c. 83.	An Act for raising the Sum of Three Millions by Loans or Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and one.
c. 84.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the Consolidated Fund,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.
c. 85. in part.	An Act for better Payment of Fines and Forfeitures imposed by Justices out of Session in England - } in part; namely,— Section One from "and shall" to end of that Section. Section Two. Section Three from "and a Copy" to "be made". Sections Four to Six.
c. 90. in part.	An Act for the more speedy and effectual Recovery of Debts due to His Majesty, His Heirs and Successors, in Right of the Crown of the United Kingdom of Great Britain and Ireland; and for the better Administration of Justice within the same - - - - - - - } in part; namely,— Sections Seven and Eight.
c. 92.	An Act to alter the Bounties payable on Wheaten Flour and Indian Corn imported into Ireland; and for providing a Method for recovering the Forfeitures created by an Act of this Session of Parliament to prohibit the making of Malt, and distilling of Spirits from Corn or Grain in Ireland.

c. 93.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and two, so much of an Act made in the present Session of Parliament as permits British Hops to be imported into Ireland at a low Rate of Duty.
c. 94.	*An Act the title of which begins with the words,*—An Act to empower the Importers or Proprietors of Rum,—*and ends with the words,*—Twenty-fifth Day of March One thousand eight hundred and eight.
c. 95.	An Act to facilitate the Trade and Intercourse between Ireland and the United States of America, during the Continuance of the Treaty of Amity, Commerce, and Navigation between His Majesty and the said States.
c. 100.	An Act to repeal the Tax on Salaries, Profits of Employments, Fees, and Pensions in Ireland, of Persons not resident in Ireland for a certain Period.
c. 101.	*An Act the title of which begins with the words,*—An Act for regulating, until the First Day of May,—*and ends with the words,*—Qualifications of Members to serve in the said United Parliament.
c. 102.	An Act to stay, until the Twenty-fifth Day of March One thousand eight hundred and two, Proceedings in Actions under the Statute of King Henry the Eighth for abridging Spiritual Persons from having Pluralities of Livings, and from taking of Ferms.
c. 103. in part.	An Act to empower His Majesty to regulate the Trade and Commerce to and from the Isle of Malta until the signing a Definitive Treaty of Peace, and from thence until Six Weeks after the next Meeting of Parliament; and to declare the Isle of Malta to be Part of Europe - - - - - - - - :— Except Section Three.
c. 104.	An Act for indemnifying such Persons as have acted since the Twenty-fifth Day of March One thousand seven hundred and ninety-nine, for the Preservation of the publick Peace, and Suppression of Insurrections and Rebellion prevailing in several Districts of that Part of the United Kingdom called Ireland.
c. 106.	An Act to secure certain Persons born within the Territories of France and other Persons therein described, from Imprisonment for Debts contracted in Parts beyond the Seas, other than the Dominions of His Majesty.
42 Geo. 3. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand eight hundred and two.
c. 2.	An Act for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in England, Wales, and the Town of Berwick upon Tweed; and certain Duties on Sugar, Malt, Tobacco, and Snuff, for the Service of the Year One thousand eight hundred and two.
c. 4.	*An Act the title of which begins with the words,*—An Act to repeal an Act, made in the Forty-first Year,—*and ends with the words,*—Sale any Bread within the Time prohibited by the said Act.
c. 5.	*An Act the title of which begins with the words,*—An Act to continue, until the First Day of January,—*and ends with the words,*—Distillation of Spirits in Scotland from Molasses or Sugar at a lower Rate of Duty.
c. 6.	*An Act the title of which begins with the words,*—An Act to rectify a Mistake in an Act made in the last Session,—*and ends with the words,*—Commencement of the Drawing of the said Lottery.
c. 7.	An Act to repeal an Act, made in the Thirty-ninth Year of the Reign of His present Majesty, intituled An Act to permit, until the First Day of August One thousand eight hundred and two, the Importation of certain Naval Stores from Hamburgh and other Ports of Germany.

c. 9. An Act for raising the Sum of Five Millions by Loans or Exchequer Bills, for the Service of the United Kingdom, for the Year One thousand eight hundred and two.

c. 10. *An Act the title of which begins with the words,*—An Act to revive and continue, until the First Day of January,—*and ends with the words,*—Prize Goods in this Kingdom.

c. 11. An Act to remove certain Restraints upon the Correspondence by Letter between Persons residing in Great Britain and Ireland, and Persons residing in certain Foreign Countries.

c. 13. *An Act the title of which begins with the words,*—An Act to continue until the First Day of January,—*and ends with the words,*—Importation into Ireland of Corn, Fish, and Provisions, without Payment of Duty.

c. 15. An Act to prohibit the Distillation of Spirits from Wheat in Ireland.

c. 16. *An Act the title of which begins with the words,*—An Act to continue, until the Fifth Day of July,—*and ends with the words,*—Kingdom or State in Amity with his Majesty.

c. 17. An Act for raising a further Sum of Money by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and two.

c. 21. An Act for raising the Sum of One Million by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and two.

c. 25. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, within the United Kingdom, and the Islands of Jersey, Guernsey, Alderney, Sark, and Man.

c. 26. An Act for the Regulation of His Majesty's Marine Forces while on Shore, until the Twenty-fifth Day of May One thousand eight hundred and two.

c. 27. *An Act the title of which begins with the words,*—An Act to empower His Majesty to cause certain countervailing Duties,—*and ends with the words,*—under certain Circumstances.

c. 28. *An Act the title of which begins with the words,*—An Act for continuing until the Twenty-fifth Day of March,—*and ends with the words,*—temporary Places of Confinement in England and Scotland respectively.

c. 29. An Act to authorize the East India Company to make their Settlement at Fort Marlborough, in the East Indies, a Factory subordinate to the Presidency of Fort William in Bengal, and to transfer the Servants who, on the Reduction of that Establishment, shall be Supernumerary, to the Presidency of Fort Saint George.
Repealed as to all Her Majesty's Dominions.

c. 30. *An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of July,—*and ends with the words,*—Pluralities of Livings, and from taking of Ferms.

c. 31. An Act for continuing, until the Twenty-fifth Day of March One thousand eight hundred and three, several Acts of the last Session of Parliament, for continuing and granting Duties to His Majesty in Ireland.

c. 35. An Act for regulating, until the Fifteenth Day of February One thousand eight hundred and three, the Prices at which Grain, Meal, and Flour may be exported from Great Britain to Ireland, and from Ireland to Great Britain.

c. 36. An Act to continue, until the Twenty-ninth day of September One thousand eight hundred and three, several Acts of the last Session of Parliament for reviving, continuing, and amending several Laws for the better Collection and Security of the Revenues of Ireland.

c. 39. An Act for extending the Time for the Payment of certain Sums of Money advanced by way of Loan to several Persons connected with and trading to the Islands of Grenada and Saint Vincent.

c. 40.	An Act to continue, until the First day of March One thousand eight hundred and three, the Restrictions contained in several Acts of the Thirty-seventh and Thirty-eighth Years of the Reign of His present Majesty, on Payments in Cash by the Bank.
c. 41.	An Act to enable the Lords Commissioners of His Majesty's Treasury of Great Britain to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament, for the Service of Great Britain for the Year One thousand eight hundred and two.
c. 42.	An Act for repealing the Duties on Income; for the effectual Collection of Arrears of the said Duties, and accounting for the same; and for charging the Annuities specifically charged thereon upon the Consolidated Fund of Great Britain.
c. 45.	*An Act the title of which begins with the words,*—An Act to continue, until Three Months after any Restriction,—*and ends with the words,*—Payments in Cash by the Bank of Ireland.
c. 46. in part.	*An Act the title of which begins with the words,*—An Act to require Overseers and Guardians of the Poor,—*and ends with the words,*—authorized so to do by subsequent Acts - - - - - in part; namely,— Section Eight.
c. 48.	An Act for enabling His Majesty to settle an Annuity of Twelve thousand Pounds on His Royal Highness the Duke of Sussex, and a like Annuity of Twelve thousand Pounds on His Royal Highness the Duke of Cambridge, during His Majesty's Pleasure.
c. 49.	An Act for defraying the Charge of the Pay of the Militia in England, for the Year One thousand eight hundred and two.
c. 50.	An Act for continuing an Act, made in this Session of Parliament, intituled An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters, within the United Kingdom, and the Islands of Jersey, Guernsey, Alderney, Sark, and Man.
c. 51.	An Act for continuing, until the Twenty-fifth Day of June One thousand eight hundred and two, an Act made in this Session of Parliament, for the Regulation of His Majesty's Marine Forces while on Shore.
c. 52.	*An Act the title of which begins with the words,*—An Act for further continuing, until the First Day of February,—*and ends with the words,*—Horses let to Hire for travelling Post, and by Time, to such Persons as should be willing to contract for the same.
c. 53.	An Act to indemnify Persons who have omitted to qualify themselves for Offices or Employments in Ireland according to Law.
c. 54.	An Act for granting to His Majesty a certain Sum of Money to be raised by Lotteries.
c. 55.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia, during Peace.
c. 56. in part.	An Act to repeal an Act, passed in the Twenty-fifth Year of the Reign of His present Majesty, for granting Stamp Duties on certain Medicines, and for charging other Duties in lieu thereof; and for making effectual Provision for the better Collection of the said Duties - - - - - in part; namely,— Sections One, Two and Four to Seven. Section Eight to "Act; and". Sections Twelve, Sixteen, Nineteen to Twenty-two and Twenty-four. Section Twenty-eight to "notwithstanding; and". Section Twenty-nine. Schedule.
c. 57.	*An Act the title of which begins with the words,*—An Act to amend so much of an Act made in the Parliament of Ireland,—*and ends with the words,*—as relates to the Commissioners for carrying the same into Execution.

c. 59. An Act for allowing, until the Twentieth Day of May One thousand eight hundred and three, additional Bounties on refined Sugar exported, and discontinuing the Duty thereon, granted by an Act of this Session of Parliament.

c. 60. *An Act the title of which begins with the words,*—An Act to continue, until the Thirtieth Day of May,—*and ends with the words,*—additional Drawback on the Exportation of refined Sugar.

c. 62. *An Act the title of which begins with the words,*—An Act for extending the Provisions of an Act, made in the Thirty-fourth Year,—*and ends with the words,*—Voters at Elections for Members to serve in Parliament.

c. 64. *An Act the title of which begins with the words,*—An Act to revive and further continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia, disembodied under an Act of the same Session of Parliament.

c. 65. An Act for making Allowances, until the Twenty-fifth Day of March One thousand eight hundred and three, in certain Cases, to Subaltern Officers of the Militia of Ireland, during Peace.

c. 68. in part. An Act to enable His Majesty to accept and continue the Services of certain Troops or Companies of Yeomanry in Ireland - - - - } in part; namely,—
The last Section.

c. 69. An Act to enable such Officers, Mariners, and Soldiers as have been in the Land or Sea Service, or in the Marines, or in the Militia, or any Corps of Fencible Men, since the Twenty-fourth Year of His present Majesty's Reign, to exercise Trades.

c. 72. in part. An Act for repealing an Act, made in the Thirty-eighth Year of the Reign of His present Majesty, intituled An Act for raising a Body of Miners in the Counties of Cornwall and Devon, for the Defence of the Kingdom during the present War; and for the more effectually raising and regulating a Body of Miners for the Defence of Great Britain - } in part; namely,—
Section One from "from and after" to "and that", from "and shall "certify" to "by his Majesty", from "and the Commissions" to "Commission to the said Warden" and so far as the rest of that Section relates to the qualifications of officers.
Section Three so far as it relates to the qualifications of officers.
Section Five from "and such Clerk of such" to end of that Section.
Section Six from "and Notice of" to "Devon respectively;".
Section Twenty to "England; and".
Sections Twenty-three, Twenty-eight and Thirty.

c. 73. in part. An Act for the Preservation of the Health and Morals of Apprentices and others, employed in Cotton and other Mills, and Cotton and other Factories - - - - - } in part; namely,—
Section Five.
Section Eight from "and in Scotland where the Parents" to "as the "same is administered in Churches in Scotland;".
Section Sixteen so far as it relates to Ireland.

c. 74. An Act to amend an Act, made in the Twenty-second Year of the Reign of His present Majesty, for the better Relief and Employment of the Poor so far as relates to the Payment of the Debts incurred for building any Poor House.

c. 75. An Act to amend the Laws for the better Regulation of the Linen Manufacture in Ireland.

c. 76.	*An Act the title of which begins with the words,*—An Act for repealing Two Acts, made in the Thirty-second and Thirty-sixth Years,—*and ends with the words,*—and from thence to the end of the then next Session of Parliament.
c. 80.	*An Act the title of which begins with the words,*—An Act for repealing several Acts, made in the Thirty-fifth, Thirty-sixth, and Thirty-ninth and Fortieth Years,—*and ends with the words,*—First Day of January One thousand eight hundred and four.
c. 83.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-ninth Day of September,—*and ends with the words,*—Licences to Persons in Ireland, not being Maltsters or Makers of Malt, selling Malt by Commission or otherwise.
c. 86.	*An Act the title of which begins with the words,*—An Act to continue, until the Eighth Day of April,—*and ends with the words,*—Leases of Benefices, and other Ecclesiastical Livings, with Cure.
c. 88.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 90. in part.	An Act for amending the Laws relating to the Militia in England, and for augmenting the Militia - } in part; namely,— Section One. Section Two from "and shall certify" to "disapproved by His Majesty". Sections Two, Six to Eight, Ten to Fourteen, Seventeen, One hundred and forty-nine and One hundred and fifty, so far as they relate to the qualifications of officers of the Militia, and to the counties, ridings, or places in which estates required as qualifications for deputy lieutenants are to be situate or arising. Section Four so far as it relates to commissions of officers in the Militia. Section Nine. Section Thirteen from "and every" to end of that Section. Sections Fifteen, Sixteen, Nineteen and Twenty. Section Twenty-one from "of which days" to "pay the same". Section Forty-three from "nor any Teachers" to "Purposes of this "Act,". Sections Fifty-two, Fifty-three, Fifty-six, Fifty-nine, Sixty, and Seventy-one. Section Seventy-seven from "although" to "for Captains". Section Seventy-eight from "and every such Surgeon shall" to "Com-"pany;". Section Seventy-nine from "although" to "respectively". Section Eighty-three so far as it provides what shall be the staff of the disembodied Militia or the pay of such staff, and so far as it relates to the oath therein mentioned. Section Eighty-four from "all which" to end of that Section. Section Eighty-seven from "with the Approbation" to end of that Section. Sections Ninety-nine, One hundred and three and One hundred and four. Section One hundred and six from "and it shall" to end of that Section. Section One hundred and seven from "and every Serjeant" to "no "more;" and from "and such Adjutant" to end of that Section. Section One hundred and twelve. Section One hundred and seventeen from "and if any" to end of that Section. Sections One hundred and twenty-six, One hundred and forty-six and One hundred and forty-seven. Section One hundred and forty-eight to "accordingly; and". Sections One hundred and fifty-three, One hundred and fifty-four, and One hundred and seventy-five. Section One hundred and seventy-six so far as it relates to courts in the principality of Wales or of the county palatine of Chester. Schedules A. to D.

c. 91. in part.	An Act to raise and establish a Militia Force in Scotland—in part; namely,— Sections Two to Seven. Sections Eight and Ten so far as they relate to officers in the Militia. Section Nine so far as it relates to the qualifications of officers in the Militia. Sections Eleven and Fourteen. Section Fifteen to "in Manner herein-after directed;". Section One hundred and seventy.
c. 92.	An Act for repealing several Acts for establishing Regulations respecting Aliens arriving in this Kingdom, or resident therein, in certain Cases; and for substituting other Provisions in lieu thereof.
c. 96.	An Act to authorize the Commissioners of Excise to order the Restoration of exciseable Goods seized or detained by Officers of Excise.
c. 98.	*An Act the title of which begins with the words,*—An Act to continue until the Fifth Day of July,—*and ends with the words,*—Trade and Manufactures of the Isle of Man; and for improving the Revenue thereof.
c. 100.	*An Act the title of which begins with the words,*—An Act for enlarging the Time for which Horses may be let to Hire,—*and ends with the words,*—Provisional Force of Cavalry, and not reimbursed to them by Assessment.
c. 102.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to permit the Importation and Exportation,—*and ends with the words,*—Six Weeks after the Commencement of the then next Session of Parliament.
c. 104.	*An Act the title of which begins with the words,*—An Act to require Persons licensed to keep Lottery Offices in Ireland,—*and ends with the words,*—a certain Sum of Money out of the Contributions for Lotteries.
c. 105.	An Act for providing a proper Salary for the Office of the Chancellor or Keeper of the Great Seal of Ireland.
c. 106.	An Act for regulating the Trial of Controverted Elections or Returns of Members to serve in the United Parliament for Ireland. Repealed so long as 31 & 32 Vict. c. 125. s. 50. continues in force.
c. 108.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 110.	An Act for raising the Sum of Five Millions by Loans or Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and three.
c. 111.	An Act for raising the Sum of One Million five hundred thousand Pounds, by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and three.
c. 113.	An Act for settling and securing a certain Annuity on Lord Hutchinson, Baron Hutchinson of Alexandria, and of Knocklofty, in the County of Tipperary, and the Two next Persons to whom the Title of Baron Hutchinson shall descend, in consideration of his eminent Services.
c. 114.	An Act for extending the Provisions of Two Acts of the Thirty-fifth and Thirty-eighth Years of His present Majesty, so far as they relate to the Encouragement of Persons coming to Milford Haven for the Purpose of carrying on the Southern Whale Fishery.
c. 115.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 116. in part.	*An Act the title of which begins with the words,*—An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax,—*and ends with the words,*—the Land Tax upon which shall have been redeemed or purchased - - - - - - in part; namely,—

Section One from "save also and" to "Execution thereof".
Sections Four, Eighteen and Nineteen.
Section Twenty from "provided no Offer" to end of that Section.
Section Twenty-five to "and two; and".
Section Twenty-six.
Section Twenty-nine from "and shall be applicable" to "Parliament".
Sections Thirty to Thirty-four.
Section Thirty-seven from "and the said Commissioners of the Treasury" to end of that Section.
Section Sixty-eight from "and all Persons whomsoever" to end of that Section.
Sections Seventy-two, Seventy-three and One hundred and thirteen.
Section One hundred and nineteen from "Provided always, that any" to end of that Section.
Sections One hundred and twenty-two and One hundred and thirty-two to One hundred and thirty-seven.
Section One hundred and thirty-eight to "marked (H.); and".
Section One hundred and forty so far as it relates to anything to be done in respect of Crown lands within the survey and receipt of the Exchequer.
Sections One hundred and forty-two, One hundred and fifty to One hundred and fifty-four, One hundred and fifty-six, One hundred and fifty-nine and One hundred and sixty.
Section One hundred and sixty-one to "the contrary notwithstanding; "and".
Sections One hundred and sixty-three, One hundred and seventy-four, One hundred and seventy-five, One hundred and seventy-eight and One hundred and seventy-nine.
Section One hundred and eighty-four from "Provided always" to end of that Section.
Sections One hundred and eighty-six, One hundred and eighty-seven, One hundred and ninety-four, One hundred and ninety-five, One hundred and ninety-eight and Two hundred.
Schedules (A.), (B.), (C.), (D.) and (H.).
So much of the rest of the Act as relates to the purchase of land tax.

c. 118. *An Act the title of which begins with the words,*—An Act for defraying the Charge of the Pay of the Militia of Ireland,—*and ends with the words,*—Time such Militia shall not be embodied.

c. 119. in part. An Act to suppress certain Games and Lotteries not authorized by Law - - - - } in part; namely,—
Section Six from "and every" to end of that Section.

c. 120. *An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the respective Consolidated Funds,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.

43 Geo. 3. c. 1. *An Act the title of which begins with the words,*—An Act for further suspending, until the Expiration of Six Weeks,—*and ends with the words,*—Promissory Notes and Bills of Exchange, under a limited Sum, within that Part of Great Britain called England.

c. 3. An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand eight hundred and three.

c. 4. An Act for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in England, Wales, and the Town of Berwick-upon-Tweed; and certain Duties on Sugar, Malt, Tobacco, and Snuff, for the Service of the Year One thousand eight hundred and three.

c. 5. An Act for raising the Sum of Five Millions by Loans or Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain, for the Year One thousand eight hundred and three.

c. 8.	*An Act the title of which begins with the words,*—An Act for reviving and continuing for Five Years,—*and ends with the words,*—indemnifying all Persons who have acted in pursuance of any of the Provisions of the said Acts, or any of them.
c. 9.	*An Act the title of which begins with the words,*—An Act to rectify a Mistake in an Act, made in the Forty-second Year,—*and ends with the words,*—relative to the Pay of Serjeants, Corporals, and Drummers.
c. 11.	An Act for discontinuing certain Drawbacks and Bounties on the Exportation of Sugar from Great Britain, and for allowing other Drawbacks and Bounties in lieu thereof, until the Fifteenth Day of January One thousand eight hundred and four.
c. 12.	*An Act the title of which begins with the words,*—An Act to continue, until the First Day of January,—*and ends with the words,*—regulating the Trade and Commerce to and from the Isle of Malta.
c. 13.	*An Act the title of which begins with the words,*—An Act to continue, until the First Day of January,—*and ends with the words,*—Importation into Ireland of Corn, Fish, and Provisions, without Payment of Duty.
c. 14.	*An Act the title of which begins with the words,*—An Act for continuing, until the First Day of July,—*and ends with the words,*—Seed Corn from Great Britain to Ireland, and the Importation of Malt into Great Britain from Ireland.
c. 16.	*An Act the title of which begins with the words,*—An Act for appointing Commissioners to enquire and examine into any Irregularities,—*and ends with the words,*—managing the Business of the said Departments, and of Prize Agency, in future.
c. 17.	An Act for discontinuing certain Drawbacks and Bounties on the Exportation of Sugar from Ireland, and for allowing, until the Fifteenth Day of January One thousand eight hundred and four, other Drawbacks and Bounties instead thereof.
c. 20.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 24.	An Act for continuing, until the Twenty-fifth Day of March One thousand eight hundred and four, several Acts for granting and continuing Duties to His Majesty in Ireland.
c. 26.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to settle an Annuity on His Royal Highness the Prince of Wales,—*and ends with the words,*—Revenues of the Duchy of Cornwall to the Commissioners appointed by the said Act.
c. 27.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 32.	An Act for allowing Vessels employed in the Greenland Whale Fishery, to complete their full Number of Men at certain Ports for the present Season.
c. 34.	*An Act the title of which begins with the words,*—An Act to continue, until the Eighth Day of July,—*and ends with the words,*—Leases of Benefices, and other Ecclesiastical Livings, with Cure.
c 36.	An Act for raising the Sum of Four Millions by Loans or Exchequer Bills, for the Service of the Year One thousand eight hundred and three.
c. 37.	An Act to enable His Majesty to grant a certain Annuity to Rear Admiral Sir James Saumarez, Baronet, and Knight of the most Honourable Order of the Bath, in consideration of his eminent Services which he has performed on various Occasions.
c. 38.	An Act to provide, until the Twenty-fifth Day of March One thousand eight hundred and four, for the more speedy and effectual Completion of the Establishment of Officers in the Militia of Great Britain; and for facilitating the filling up Vacancies therein.

c. 39.	An Act for appointing Commissioners for distributing the Money stipulated to be paid by the United States of America, under the Convention made between His Majesty and the said United States, among the Persons having Claims to Compensation out of such Money.
c. 40.	An Act for enlarging the Period for the Payment of Part of certain Sums of Money advanced by way of Loan to several Persons connected with and trading to the Islands of Grenada and Saint Vincent.
c. 41.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 42.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Duties on Sugar and Coffee exported, and allowing British Plantation Sugar to be warehoused.
c. 43.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and four, several Acts of Parliament for the better Collection and Security of His Majesty's Revenue in Ireland; and for preventing Frauds therein.
c. 44.	*An Act the title of which begins with the words,*—An Act to amend and continue,—*and ends with the words,*—Restrictions on Payments in Cash by the Bank of Ireland.
c. 45. in part.	An Act for the more effectually preserving the Peace, and securing the Freedom of Election, in the Town of Nottingham, and County of the said Town - } in part; namely,— Section Two.
c. 46. in part.	An Act for the more effectual Prevention of frivolous and vexatious Arrests and Suits; and to authorize the levying of Poundage upon Executions in certain Cases - - - - - - } in part; namely,— Sections One, Three, and Five.
c. 47. in part.	An Act for consolidating and amending the several Laws for providing Relief for the Families of Militia Men of England, when called out into actual Service } in part; namely,— Sections One, Five and Seven. Section Nine from "or to the Family" to "shall serve,". Sections Fourteen and Fifteen. Section Sixteen, the words "or any Private Militia Man" and "or "Private Militia Man". Section Seventeen from "who shall forthwith" to end of that Section. Section Twenty-three so far as it relates to the certificate of any justice or justices. Sections Twenty-four, Twenty-five, and Twenty-eight.
c. 49.	An Act to amend so much of several Acts, passed in the Sixth and Seventh Year, and in the Seventh and Eighth Year of the Reign of King William the Third, as relates to the Exportation of Silver Bullion.
c. 50. in part.	An Act for more speedily completing the Militia of Great Britain, raised under Two Acts, passed in the Forty-second Year of the Reign of His present Majesty; and for amending the said Acts - - } in part; namely,— Section One. Section Two from "and the Deputy Lieutenants" to end of that Section, Section Ten, and Section Eleven from "and other Men" to "such Vacancies,"; but as to these three Sections so far only as they relate to the Militia raised in England.

c. 51. in part.	An Act to render more effectual an Act, passed in the Forty-second Year of His present Majesty's Reign, for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax - - - - - - - in part; namely,— Section Three.
c. 52.	An Act for indemnifying all Persons who have been concerned in issuing or carrying into Execution certain Orders of Council for the Prevention of the Exportation of Gunpowder, Saltpetre, and Naval Stores, and the Permission of the Exportation of Seed Corn to Norway.
c. 53.	*An Act the title of which begins with the words,*—An Act to render the process of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer,—*and ends with the words,*—compelling the Appearance of Defendants in personal Actions.
c. 54. in part.	An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools in Scotland - - - in part; namely,— Section One.
c. 55.	An Act to enable His Majesty more effectually to provide for the Defence and Security of the Realm, during the present War; and for indemnifying Persons who may suffer in their Property by such Measures as may be necessary for that Purpose.
c. 57.	An Act for the better Protection of the Trade of the United Kingdom during the present Hostilities with France.
c. 60.	An Act for remedying certain defects that have occurred in the issuing of certain Exchequer Bills.
c. 62.	An Act for transferring to the Royal Navy such Seamen as are now serving in the Militia of Great Britain.
c. 63.	*An Act the title of which begins with the words,*—An Act to explain and amend an Act, passed in the Thirty-ninth Year,—*and ends with the words,*—to continue until the Twenty-fifth Day of March One thousand eight hundred and six.
c. 64.	An Act for the better Supply of Mariners and Seamen to serve in His Majesty's Ships of War, and on board Merchant Ships and other trading Ships and Vessels, during the present Hostilities.
c. 70.	An Act for granting to His Majesty, during the present War, and until the Ratification of a Definitive Treaty of Peace, additional Duties on the Importation and Exportation of certain Goods, Wares, and Merchandize, and on the Tonnage of Ships and Vessels in Great Britain.
c. 71.	An Act for augmenting the Number of Field Officers and other Officers of Militia within Great Britain.
c. 72.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 73. in part.	*An Act the title of which begins with the words,*—An Act to amend an Act, passed in the Forty-second Year,—*and ends with the words,*—Provision for the better Collection of the said Duties - - in part; namely,— Sections One and Four. Schedule.
c. 76.	An Act for transferring to the Royal Navy such Seamen as are now serving in the Militia of Ireland.
c. 77.	An Act to indemnify Persons who have omitted to qualify themselves for Offices or Employments in Ireland, according to Law.

c. 78.	*An Act the title of which begins with the words,*—An Act for continuing, until the First Day of July,—*and ends with the words,*—Importation of Malt into Great Britain from Ireland.
c. 80.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the Sum of Twenty thousand Pounds,—*and ends with the words,*—keeping in Repair Roads and Bridges in the Highlands of Scotland.
c. 81.	An Act for granting to His Majesty, until Twelve Months after the Ratification of the Definitive Treaty of Peace, certain additional Duties of Excise in Great Britain.
c. 82.	An Act to enable His Majesty more effectually to raise and assemble, in England, an additional Military Force, for the better Defence and Security of the United Kingdom, and for the more vigorous Prosecution of the War.
c. 83.	An Act to enable His Majesty more effectually to raise and assemble an additional Military Force in Scotland, for the better Defence and Security of the United Kingdom, and for the more vigorous Prosecution of the War.
c. 85.	An Act to enable His Majesty more effectually to raise and assemble, in Ireland, an additional Military Force, for the better Defence and Security of the United Kingdom, and for the more vigorous Prosecution of the War.
c. 86. in part.	An Act to prevent unlawful Combinations of Workmen, Artificers, Journeymen, and Labourers, in Ireland; and for other Purposes relating thereto - } in part; namely,— Sections Fifteen and Sixteen. Section Twenty from " and shall be laid " to " Defence ". Schedule.
c. 88.	*An Act the title of which begins with the words,*—An Act for defraying, until the Twenty-fifth Day of March,—*and ends with the words,*—Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.
c. 89. in part.	An Act for providing Relief for the Families of Militia Men in Scotland, when called out into actual Service - - } :— Except Section Twenty-one to " Militia Force in Scotland,".
c. 91.	An Act for granting to His Majesty a certain Sum of Money to be raised by Lotteries.
c. 93.	An Act for raising the Sum of Five Millions by Loans or Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and three.
c. 94.	An Act for defraying the Charge of the Pay and Cloathing of the Militia in Great Britain for the Year One thousand eight hundred and three.
c. 95.	*An Act the title of which begins with the words,*—An Act to revive and further continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.
c. 97.	An Act to amend several Acts of Parliament for the better Collection and Security of His Majesty's Revenue of Customs and Excise in Ireland, and for preventing Frauds therein; and to make further Regulations relating thereto.
c. 99. in part.	An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the same - } in part; namely,— Sections One to Seven. Section Ten from " who shall " to " by Commissioners,". Section Twelve to " done; and ". Section Eighteen so far as it relates to neglect to appoint assessors. Section Twenty to " appointed; and ".

Section Twenty-eight.
Section Twenty-nine from "except always" to end of that Section.
Sections Forty-eight to Fifty, Fifty-two, Fifty-five, Fifty-seven, Fifty-eight, and Sixty-two.
Section Sixty-three from "and in default" to end of that Section.
Section Sixty-four from "and the Informer" to "entitled unto," and from "or be subject" to end of that Section.
Section Sixty-nine.
Schedule (A.).

c. 102. in part. An Act for granting to His Majesty the Sum of Twenty thousand Pounds, towards defraying the Expence of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William, and for taking the necessary Steps towards executing the same - - - } in part; namely,—
Sections One to Three and Six to Twenty-two.

c. 103. An Act to permit Portugal Wine to be landed and warehoused in the United Kingdom without Payment of Duties, under certain Restrictions, for a limited Time.

c. 104. An Act to rectify a Mistake in an Act made in this present Session of Parliament, intituled An Act for enlarging the Period for the Payment of Part of certain Sums of Money advanced by Way of Loan to several Persons connected with and trading to the Islands of Grenada and Saint Vincent.

c. 105. An Act to permit the Exportation, for Two Years, of a certain Quantity of Corn, Grain, Meal, Flour, Bread, Biscuit, or Pulse, to the Islands of Guernsey, Jersey, and Alderney, from other Ports in England as well as the Port of Southampton, under certain Restrictions.

c. 110. *An Act the title of which begins with the words,*—An Act to explain and amend an Act, made in the last Session,—*and ends with the words,*—Payment of the Debts incurred for building any Poorhouse.

c. 114. An Act for raising the Sum of One Million Irish Currency, by Treasury Bills, for the Service of Ireland, for the Year One thousand eight hundred and three.

c. 115. *An Act the title of which begins with the words,*—An Act to explain and amend Two Acts, made in the Second, and Thirty-ninth and Fortieth Years,—*and ends with the words,*—Seizure of Exciseable Commodities.

c. 116. *An Act the title of which begins with the words,*—An Act to empower the Lord Lieutenant, or other Chief Governor or Governors of Ireland,—*and ends with the words,*—next Session of Parliament.

c. 117. An Act for the Suppression of Rebellion in Ireland, and for the Protection of the Persons and Property of His Majesty's faithful Subjects there, to continue in force until Six Weeks after the Commencement of the next Session of Parliament.

c. 121. *An Act the title of which begins with the words,*—An Act for authorizing the billetting of such Troops of Yeomanry and Volunteer Cavalry,—*and ends with the words,*—and for the further regulating of such Yeomanry and Volunteer Corps.

c. 122. An Act for granting to His Majesty, until the Sixth day of May next after the Ratification of a Definitive Treaty of Peace, a Contribution on the Profits arising from Property, Professions, Trades, and Offices.

c. 123. An Act for exempting Persons serving, or who have found Substitutes to serve, in the additional Military Force, raised under an Act of this Session of Parliament, from being balloted to serve in the Militia of England.

c. 125. *An Act the title of which begins with the words,*—An Act to empower His Majesty's Commissioners of Lieutenancy for the City of London,—*and ends with the words,*—Military Service of His liege Subjects in case of Invasion of the Realm.

c. 129. in part. *An Act the title of which begins with the words,*—An Act to amend so much of an Act made in this Session,—*and ends with the words,*—more effectually securing the Duties on Coffee - - - :—

Except the last Section from "if any burnt, scorched, or roasted Peas, "Beans, or other Grain, or vegetable Substance or Substances pre- "pared" to end.

c. 133. *An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—prohibiting the Importation of Foreign Wrought Silks and Velvets into Great Britain.

c. 135. *An Act the title of which begins with the words,*—An Act for the removing of Doubts respecting the Validity of Assignments,—*and ends with the words,* —recover the Interests so assigned.

c. 136. *An Act the title of which begins with the words,*—An Act to suspend, until the First Day of July,—*and ends with the words,*—Persons employed or concerned in the said Manufacture.

c. 137. An Act to enable the Court of Directors of the East India Company to make reasonable Allowances to the Owners of certain Ships, in the Service of the said Company, on Account of the extraordinary Expence attending the Outfit of the said Ships, between certain Periods.

c. 138. An Act for extending the Jurisdiction of the Courts of Justice in the Provinces of Lower and Upper Canada, to the Trial and Punishment of Persons guilty of Crimes and Offences within certain parts of North America adjoining to the said Provinces.

Repealed as to all Her Majesty's Dominions.

c. 144. An Act for procuring Returns relative to the Expence and Maintenance of the Poor in England.

c. 145. An Act for more effectually securing certain Duties on Malt, and for preventing Frauds by Makers of Malt from Beer or Bigg in Scotland.

c. 146. An Act for enabling His Majesty to raise the Sum of Two Millions for the Uses and Purposes therein mentioned.

c. 147. An Act for raising the Sum of One million five hundred thousand Pounds, by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and three.

c. 148. An Act to enable the Lords Commissioners of His Majesty's Treasury of Great Britain to issue Exchequer Bills on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain for the Year One thousand eight hundred and three.

c. 149. An Act for enabling His Majesty to settle an Annuity of Sixteen thousand Pounds on the House of Orange, during His Majesty's Pleasure.

c. 150. in part. An Act for consolidating certain of the Provisions contained in any Act or Acts, relating to the Duties under the Management of the Commissioners for the Affairs of Taxes; and for amending the said Acts, so far as the same relate to that Part of Great Britain called Scotland - - - - in part; namely,—

Sections Two, Five, Six, Nine, Twelve, and Thirteen.
Section Sixteen to "before mentioned; and".
Section Twenty-five.
Section Twenty-six from "except always" to end of that Section.
Sections Thirty-four to Thirty-six, Forty-five, Forty-nine, and Fifty-three.
Section Fifty-four from "and in Default" to end of that Section.
Section Fifty-five from "and the Informer" to "entitled unto;" and from "or be subject" to end of that Section.
Section Sixty.
Schedule (A.).

c. 154. *An Act the title of which begins with the words,*—An Act for granting to His Majesty certain countervailing Duties,—*and ends with the words,*—Salmon and Cod Fish from the Island of Newfoundland and the Coast of Labrador, into Great Britain and Ireland.

c. 155. *An Act the title of which begins with the words,*—An Act to repeal an Act, passed in the last Session,—*and ends with the words,*—Regulations respecting Aliens arriving in this Kingdom, or residing therein, in certain Cases.

c. 156. An Act to enable the Commissioners of His Majesty's Treasury of Great Britain to contract for the Purchase of the Duties of Prisage and Butlerage of Wines.

c. 157. An Act to make perpetual so much of an Act, made in the Nineteenth Year of the Reign of King George the Second, as relates to the further Punishment of Persons going armed or disguised, and to the Relief of Officers of the Customs in Informations upon Seizures.

c. 161. in part. *An Act the title of which begins with the words,*—An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes,—*and ends with the words,*—new Duties on Persons selling Carriages by Auction, or on Commission - - - - - } in part; namely,—

Sections One to Nine.
Sections Ten and Fifty-five, so far as they relate to Schedule (A.).
Sections Eleven to Fourteen.
Section Fifteen, the words "the Number of Windows contained therein, "and", and so far as the rest of that Section relates to Schedule (A.).
Section Seventeen from "which Notice" to end of that Section, and so far as the rest of that Section relates to Schedule (A.).
Sections Eighteen to Twenty-three.
Section Twenty-four from "and the said last-mentioned" to "hundred "and four;" and from "and every Person" to end of that Section.
Sections Twenty-five to Forty-nine, Fifty-two, Fifty-seven, and Fifty-eight.
Section Sixty except so far as it relates to ascertaining the annual rent at which each dwelling house ought to be charged.
Section Sixty-one.
Section Sixty-two except so far as it relates to certificates of assessment for the duties on inhabited dwelling houses according to the annual value thereof.
Sections Sixty-three to Sixty-eight.
Section Seventy from "and upon the Hearing" to end of that Section.
Section Seventy-one.
Section Seventy-two, the words "and in the Court of Great Sessions "for Offences committed in Wales,".
Sections Seventy-three to Seventy-five, Seventy-nine, and Eighty-one to Eighty-eight.
The Schedules.

c. 162. *An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the respective Consolidated Funds, —*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.

44 Geo. 3. c. 1. *An Act the title of which begins with the words,*—An Act to continue, until Six Months after the Ratification of a Definitive Treaty of Peace,—*and ends with the words,*—Payments of Cash by the Bank of England.

c. 2. An Act for granting to His Majesty the Sum of Eight thousand Pounds, for the present Relief of certain Curates in England.

c. 3. An Act to regulate the Bonds issued by the East India Company, with respect to the Rate of Interest, and the Duty payable thereon.

c. 4.	*An Act the title of which begins with the words,*—An Act to continue several Laws relating to the suspending the Operation of Two Acts,—*and ends with the words,*—until Six Months after the Ratification of a Definitive Treaty of Peace.
c. 5.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth day of March,—*and ends with the words,*—allowing other Drawbacks and Bounties in lieu thereof.
c. 8.	*An Act the title of which begins with the words,*—An Act to continue, until Six Weeks after the Commencement of the next Session,—*and ends with the words,*—conspiring against His Majesty's Person and Government, until Six Weeks after the Commencement of the next Session of Parliament.
c. 9.	*An Act the title of which begins with the words,*—An Act to continue, until Six Weeks after the Commencement of the next Session,—*and ends with the words,*—His Majesty's faithful Subjects there, to continue in force until Six Weeks after the Commencement of the next Session of Parliament.
c. 10.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and five, several Acts of the Forty-first, Forty-second, and Forty-third Years of His present Majesty's Reign, for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland.
c. 11.	*An Act the title of which begins with the words,*—An Act for enabling the Lord Lieutenant or other Chief Governor or Governors of Ireland,—*and ends with the words,*—Proclamation of the Lord Lieutenant and Council of Ireland for prohibiting such Distillation.
c. 12.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Importation into Ireland of Corn, Fish, and Provisions, without Payment of Duty.
c. 13. in part.	An Act to prevent the Desertion and Escape of Petty Officers, Seamen, and others, from His Majesty's Service, by Means or under Colour of any Civil or Criminal Process - - - - - } in part; namely,— The last Section.
c. 14.	An Act to amend Two Acts, passed in the Forty-first and Forty-third Years of the Reign of His present Majesty, for permitting Portugal Wine to be landed and warehoused in the United Kingdom; and to allow Spanish Wine to be so landed and warehoused.
c. 15.	An Act for raising the Sum of Five Millions by Loans or Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain, for the Year One thousand eight hundred and four.
c. 16.	An Act for continuing and granting to His Majesty certain Duties upon Malt, in Great Britain, for the Service of the Year One thousand eight hundred and four.
c. 17.	An Act for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in England; and certain Duties on Sugar, Malt, Tobacco, and Snuff, in Great Britain, for the Service of the Year One thousand eight hundred and four.
c. 19.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 20.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 21.	*An Act the title of which begins with the words,*—An Act to continue, until Three Months after any Restriction imposed,—*and ends with the words,*—also an Act made in the Forty-third Year of the Reign of His present Majesty for amending the said Act.

c. 22. An Act to indemnify all Persons who have been concerned in issuing or carrying into execution an Order of the Lords Commissioners of His Majesty's Treasury for permitting the Exportation of Seed Corn to Portugal from Great Britain.

c. 23. An Act for allowing Vessels employed in the Greenland Whale Fishery, and clearing out from any Port in Great Britain, to complete their full Number of Men at certain Ports for the present Season.

c. 24. An Act for further continuing, until the Twenty-fifth Day of March One thousand eight hundred and six, an Act made in the Thirty-third Year of the Reign of His present Majesty, for rendering the Payment of Creditors more equal and expeditious in Scotland.

c. 26. *An Act the title of which begins with the words,*—An Act for charging, until the Twenty-fifth Day of March,—*and ends with the words,*—Excise and Taxes in Ireland in lieu of former Rates, Duties, and Taxes, Bounties and Drawbacks.

c. 27. *An Act the title of which begins with the words,*—An Act for charging, until the Twenty-fifth Day of March,—*and ends with the words,*—Exportation to Great Britain of the several Articles therein mentioned, being the Manufacture of Ireland.

c. 28. An Act for granting to His Majesty a Duty upon Malt made in Ireland, for the Year One thousand eight hundred and four.

c. 29. An Act for permitting, until the Fifth Day of May One thousand eight hundred and five, the Importation of Hides, Calve Skins, Horns, Tallow, and Wool, (except Cotton Wool), in Foreign Ships, on Payment of the like Duties as if imported in British or Irish Ships.

c. 30. *An Act the title of which begins with the words,*—An Act to revive and continue, until Eight Months after the Ratification of a Definitive Treaty of Peace,—*and ends with the words,*—Importation of certain Goods from America in Neutral Ships..

c. 31. An Act for raising the further Sum of Two Millions by Loans or Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain for the Year One thousand eight hundred and four.

c. 32. An Act for empowering His Majesty, for a Time and to an Extent therein limited, to accept the Services of such Parts of His Militia Forces in Ireland as may voluntarily offer themselves to be employed in Great Britain.

c. 35. *An Act the title of which begins with the words,*—An Act to amend and continue several Laws relating to the allowing the Importation,—*and ends with the words,*—residing in the said Island, to the Twenty-fifth Day of December One thousand eight hundred and five.

c. 36. An Act to amend and continue, until the Twenty-fifth Day of March One thousand eight hundred and seven, so much of an Act, made in the Forty-first Year of His present Majesty, as relates to allowing British Plantation Sugar to be warehoused.

c. 37. *An Act the title of which begins with the words,*—An Act to repeal so much of an Act, passed in the last Session,—*and ends with the words,*—Appeals on Assessments or Surcharges made in pursuance of the said Act.

c. 38. An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

c. 39. An Act for defraying the Charge of the Pay and Cloathing of the Militia in Great Britain for the Year One thousand eight hundred and four.

c. 40. *An Act the title of which begins with the words,*—An Act to revive and further continue. until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.

c. 41.	*An Act the title of which begins with the words,*—An Act for defraying, until the Twenty-fifth Day of March,—*and ends with the words,*—Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.
c. 42.	An Act to amend an Act, made in the Forty-second Year of His present Majesty, to amend the Laws for the better Regulation of the Linen Manufacture in Ireland.
c. 45.	An Act for raising the Sum of Eight Millions by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and four.
c. 46.	An Act for raising the Sum of One million five hundred thousand Pounds, by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and four.
c. 50.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Ratification,—*and ends with the words,*—Militia of Great Britain; and for facilitating the filling up Vacancies therein.
c. 51.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 53.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty, during the present War,—*and ends with the words,*—Merchandize, brought or carried Coastwise, within Great Britain.
c. 54. in part.	An Act to consolidate and amend the Provisions of the several Acts relating to Corps of Yeomanry and Volunteers in Great Britain; and to make further Regulations relating thereto - - } in part; namely,— Sections One and Two. Section Eleven to "on Commission:". Sections Fourteen and Eighteen. Section Twenty from "every Person enrolled" to "Parliament, and" and from "to all such Persons as shall have" to "thereof, and". Section Thirty-two from "and shall also" to "from such Corps;" and from "and also" to end of that Section. Sections Thirty-four and Thirty-five. Section Thirty-six from "and all the" to "indemnified". Sections Fifty-four, Fifty-five, and Sixty-one. Schedule (D.).
c. 55.	An Act for more effectually preventing the Sale of Exciseable Liquors in Scotland by Persons not duly licensed; and for altering the Times of granting Licenses to sell such Exciseable Liquors by Retail.
c. 59.	An Act to indemnify Solicitors, Attornies, and others, who have neglected to enter Certificates within the Time limited by an Act made in the Thirty-seventh Year of His present Majesty; and to amend so much of the said Act as relates to the entering such Certificates.
c. 64.	*An Act the title of which begins with the words,*—An Act to continue, until the First Day of July,—*and ends with the words,*—Persons employed or concerned in the said Manufacture.
c. 65.	*An Act the title of which begins with the words,*—An Act to continue, until the First Day of July,—*and ends with the words,*—Importation of Malt into Great Britain from Ireland.
c. 67.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty, until the Twenty-fifth Day of March,—*and ends with the words,*—Revenues in Ireland, by making the same payable in British Currency.
c. 70.	An Act to enable His Majesty to authorize the Exportation of the Machinery necessary for erecting a Mint in the Dominions of the King of Denmark.
c. 72.	An Act for allowing the Sale of certain East India Prize Goods in the Port of Liverpool.

c. 73.	An Act to enable the Lords Commissioners of His Majesty's Treasury of Great Britain to issue Exchequer Bills on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain for the Year One thousand eight hundred and four.
c. 75.	*An Act the title of which begins with the words,*—An Act for enabling Subjects of Foreign States to enlist as Soldiers,—*and ends with the words,*—or grant any such Commissions as aforesaid.
c. 76.	An Act for settling and securing a certain Annuity on the Viscountess Kilwarden, and on the Family of the late Arthur Lord Viscount Kilwarden.
c. 80.	An Act for the better Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom; and for preventing Accumulation of Arrears in the Payments out of the Civil List Revenues.
c. 81.	An Act for enabling His Majesty to raise the Sum of Two millions five hundred thousand Pounds for the Use and Purposes therein mentioned.
c. 82.	*An Act the title of which begins with the words,*—An Act to obviate certain Inconveniences,—*and ends with the words,*—Contribution on the Profits arising from Property, Professions, Trades, and Offices.
c. 83.	An Act for regulating the Appointment of Commissioners to act in the Execution of an Act of the last Session of Parliament, for granting to His Majesty a Contribution on the Profits arising from Property, Professions, Trades, and Offices.
c. 85.	*An Act the title of which begins with the words,*—An Act for further continuing, for Seven Years,—*and ends with the words,*—Importation of Oak Bark, when the Price of such Bark shall exceed a certain Rate.
c. 89.	*An Act the title of which begins with the words,*—An Act for confirming the Provisions of an Act, made in Ireland,—*and ends with the words,*—Use of Oats and Oatmeal in the Distillation of Spirits in Ireland.
c. 90.	*An Act the title of which begins with the words,*—An Act to continue, until Seven Years after the passing thereof,—*and ends with the words,*—Preservation of the Peace within Counties at large.
c. 92.	An Act to render more easy the apprehending, and bringing to Trial, Offenders escaping from One Part of the United Kingdom to the other, and also from One County to another.
c. 93.	An Act for granting to His Majesty a Sum of Money, to be raised by Lotteries.
c. 97.	An Act for raising the Sum of Eight hundred thousand Pounds Irish Currency, by Treasury Bills, for the Service of Ireland, for the Year One thousand eight hundred and four.
c. 98. in part.	An Act to repeal the several Duties under the Commissioners for managing the Duties upon stamped Vellum, Parchment, and Paper, in Great Britain, and to grant new and additional Duties in lieu thereof - - - - -:— Except Sections Two, Eight, Ten, Section Twenty-seven to "Scotland "respectively;" and Schedules (A.) and (B.) so far as such Sections and Schedules relate to the duties on medicines, and on licenses for vending the same, but excluding from the exception the said Sections so far as they relate to the allowances in Schedule (C.).
c. 103.	An Act for making further Regulations for the better Collection and Security of His Majesty's Revenue of Customs and Excise in Ireland, and for preventing Frauds therein.
c. 104.	*An Act the title of which begins with the words,*—An Act to permit, until the Twenty-fifth Day of March,—*and ends with the words,*—Exportation to Great Britain of such Spirits as shall not be warehoused.

c. 105.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and five, several Acts for the better Collection and Security of His Majesty's Revenue in Ireland; and for preventing Frauds therein.
c. 106.	*An Act the title of which begins with the words,*—An Act for appointing, until the First Day of August,—*and ends with the words,*—accounting for publick Money in Ireland.
c. 108.	An Act for the Relief of certain Insolvent Debtors.
c. 110.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Consolidated Fund,—*and ends with the words,*—for further appropriating the Supplies granted in this Session of Parliament.
45 Geo. 3. c. 1.	An Act for continuing and granting to His Majesty certain Duties upon Malt, in Great Britain, for the Service of the Year One thousand eight hundred and five.
c. 2.	An Act for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in England, and certain Duties on Sugar, Malt, Tobacco, and Snuff, in Great Britain, for the Service of the Year One thousand eight hundred and five.
c. 3.	An Act to remedy certain Omissions in an Act passed in the last Session of Parliament, intituled An Act for the Relief of certain Insolvent Debtors.
c. 4.	*An Act the title of which begins with the words,*—An Act to continue, until Six Weeks after the Commencement of the next Session,—*and ends with the words,*—conspiring against His Majesty's Person and Government.
c. 5.	*An Act the title of which begins with the words,*—An Act for explaining and amending an Act made in the Forty-third Year,—*and ends with the words,*—Power of acting as Commissioners in certain Districts.
c. 7.	An Act for raising the Sum of Three Millions by Loans or Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and five.
c. 10.	An Act for making further Provision for the effectual Performance of Quarantine.
c. 13.	An Act for granting to His Majesty additional Duties in Great Britain on Horses used in riding, or for drawing certain Carriages; and for consolidating the said additional Duties with the present Duties thereon.
c. 15.	An Act for granting to His Majesty additional Duties in Great Britain, on the Amount of Assessments to be charged on the Profits arising from Property, Professions, Trades, and Offices.
c. 16.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 17.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 18.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty, until the Twenty-fifth Day of March,—*and ends with the words,*—exported from Ireland, in lieu of former Rates and Duties, Drawbacks and Bounties.
c. 19.	An Act for granting to His Majesty, until the Twenty-fifth Day of March One thousand eight hundred and six, certain Inland Duties of Excise and Taxes in Ireland, in lieu of former Duties of Excise and Taxes.
c. 22.	An Act for granting to His Majesty a Duty upon Malt made in Ireland, and upon Spirits made or distilled in Ireland, for the Year One thousand eight hundred and five.
c. 23.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and six, and to amend, several Acts for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland.

c. 24. *An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—allowing other Drawbacks and Bounties in lieu thereof.

c. 25. *An Act the title of which begins with the words,*—An Act to continue an Act for suspending the Operation,—*and ends with the words,*—Ratification of a Definitive Treaty of Peace.

c. 26. *An Act the title of which begins with the words,*—An Act for continuing several Laws relating to the permitting the Warehousing of Spirits in Ireland for Exportation,—*and ends with the words,*—Twenty-fifth Day of March One thousand eight hundred and six.

c. 27. An Act to enable the Lords Commissioners of His Majesty's Treasury of Great Britain to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain, for the Year One thousand eight hundred and five.

c. 28. in part. An Act for granting to His Majesty additional Stamp Duties in Great Britain on certain Legacies - - - - } :—
Except Section Five, Section Seven from "all the Provisions" to end of that Section, and Section Twelve.

c. 31. An Act for allowing a certain Proportion of the Militia in Great Britain voluntarily to enlist into His Majesty's Regular Forces and Royal Marines.

c. 32. *An Act the title of which begins with the words,*—An Act for granting to Foreign Ships put under His Majesty's Protection the Privileges of Prize Ships,—*and ends with the words,*—Ratification of a Definitive Treaty of Peace.

c. 33. *An Act the title of which begins with the words,*—An Act to make valid certain Licences,—*and ends with the words,*—granting or acting under such Licences.

c. 34. An Act to permit the Importation of Goods and Commodities from Countries in America belonging to any Foreign European Sovereign or State in Neutral Ships, during the present War, and until Six Months after the Ratification of a Definitive Treaty of Peace.

c. 35. *An Act the title of which begins with the words,*—An Act to continue, until the First Day of June,—*and ends with the words,*—Navigation, between His Majesty and the United States of America.

c. 36. *An Act the title of which begins with the words,*—An Act to enable the East India Company to appoint the Commander in Chief,—*and ends with the words,*—Forces in India, being vested in the same Person.
Repealed as to all Her Majesty's Dominions.

c. 37. An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

c. 38. An Act for allowing a certain Proportion of the Militia in Ireland voluntarily to enlist into His Majesty's Forces and Royal Marines.

c. 41. An Act for restraining the Negociation of certain Promissory Notes and Inland Bills of Exchange in Ireland.

c. 43. An Act to amend the Laws for improving and keeping in Repair the Post Roads in Ireland, and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious.

c. 46. *An Act the title of which begins with the words,*—An Act to continue, until the End of the next Session,—*and ends with the words,*—Persons employed in the several Naval Departments therein mentioned.

c. 47. *An Act the title of which begins with the words,*—An Act to appoint Commissioners to inquire and examine into the Publick Expenditure,—*and ends with the words,*—Six Weeks after the Commencement of the then next Session of Parliament.

c. 48.	*An Act the title of which begins with the words,*—An Act for appointing Commissioners for putting into execution an Act of this Session,—*and ends with the words,*—Land Tax, to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety-eight.
c. 56.	*An Act the title of which begins with the words,*—An Act for further continuing, until the First Day of February One thousand eight hundred and nine,—*and ends with the words,*—Horses let to Hire for travelling Post and by Time.
c. 58.	An Act to repeal an Act, made in the Twenty-third Year of His present Majesty, for the better Regulation of the Office of Paymaster General of His Majesty's Forces, and the more regular Payment of the Army; and for the more effectually regulating the said Office.
c. 59.	An Act for amending an Act, passed in the Parliament of Ireland in the Thirty-fifth Year of His present Majesty, for regulating the Election of Members to serve in Parliament, so far as relates to Freeholds under the yearly Value of Twenty Pounds; and for making further and other Regulations relating thereto.
c. 60.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 61.	*An Act the title of which begins with the words,*—An Act to revive and further continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.
c. 62.	An Act for defraying the Charge of the Pay and Cloathing of the Militia in Great Britain for the Year One thousand eight hundred and five.
c. 63.	*An Act the title of which begins with the words,*—An Act for defraying, until the Twenty-fifth Day of March,—*and ends with the words,*—Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.
c. 64.	An Act to amend an Act made in the Forty-first Year of His present Majesty, for granting Bounties for taking and bringing Fish to the Cities of London and Westminster, and other Places in the United Kingdom.
c. 65.	*An Act the title of which begins with the words,*—An Act to continue until the Twenty-ninth Day of September,—*and ends with the words,*—present Mode of receiving, collecting, issuing, and accounting for publick Money in Ireland.
c. 66.	An Act to prevent in Great Britain the illegally carrying away Bark; and for amending Two Acts, passed in the Sixth and Ninth Years of His present Majesty's Reign, for the Preservation of Timber Trees, Underwoods, Roots, Shrubs, Plants, Hollies, Thorns, and Quicksets.
c. 68.	*An Act the title of which begins with the words,*—An Act for making perpetual and amending several Laws,—*and ends with the words,*—British Colonies in America, and of the Officers of the Customs in Newfoundland.
c. 69.	An Act for vesting in the Barrack Master General for the Time being, Estates, held or occupied for the Barrack Service; and authorizing him to sell the same, with the Consent of the Lords Commissioners of His Majesty's Treasury.
c. 70.	*An Act the title of which begins with the words,*—An Act to rectify a Mistake in the Name of One of the Commissioners,—*and ends with the words,*—Business, in the Military Departments therein mentioned.
c. 71. in part.	An Act to amend the several Laws relating to the Duties under the Management of the Commissioners for the Affairs of Taxes - - - } in part; namely,— Section Two from "for the previous" to "said Acts". Section Three.
c. 74.	An Act for granting to His Majesty a Sum of Money to be raised by Lotteries.

c. 76.	An Act to amend an Act made in the Parliament of Ireland, for the Support of the Honour and Dignity of His Majesty's Crown in Ireland; and for granting to His Majesty a Civil List Establishment under certain Provisions and Regulations.
c. 77. in part.	An Act to amend and render more effectual an Act passed in the Forty-second Year of His present Majesty's Reign, for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into one Act - - } in part; namely,— Sections Three and Four.
c. 78.	An Act to indemnify all Persons concerned in advancing Forty thousand Pounds to Messieurs Boyd, Benfield, and Company, in One thousand seven hundred and ninety-six, out of the Monies issued for Naval Services.
c. 79.	An Act to amend several Acts, passed in the Parliament of Ireland, for appointing Commissioners to enquire into the Losses of such His Majesty's loyal Subjects as have suffered in their Property during the Rebellion in Ireland, and for other Purposes in the said Acts mentioned.
c. 80.	*An Act the title of which begins with the words,*—An Act for continuing several Laws relating to the regulating the Prices at which Corn,—*and ends with the words,*—Importation of Hides and other Articles in Foreign Ships.
c. 82.	An Act for repealing the Duty chargeable on Woollen Goods of the Manufacture of Great Britain exported to the East Indies.
c. 83.	*An Act the title of which begins with the words,*—An Act to continue the Operation of an Act, passed in the last Session,—*and ends with the words,*—Persons employed or concerned in the said Manufacture.
c. 85.	An Act for authorizing the Commissioners of His Majesty's Treasury in Great Britain to advance a certain Sum of Money, to be applied in completing the Crinan Canal.
c. 90.	An Act to empower His Majesty to retain upon Full Pay and Allowances Officers of the Militia during the War, notwithstanding the Reduction.
c. 92. in part.	*An Act the title of which begins with the words,*—An Act to amend Two Acts of the Thirteenth and Forty-fourth Years,—*and ends with the words,*—Part of the United Kingdom to the other, and from one County to another - - - - - - } :— Except Sections Three and Four.
c. 94.	An Act for reducing the Duty of Excise on Hops the Growth of Great Britain.
c. 95. in part.	*An Act the title of which begins with the words,*—An Act to amend so much of an Act of the Forty-third Year,—*and ends with the words,*—Notices required to be delivered to Persons assessed to the said Duties } in part; namely,— Sections Two and Three.
c. 97.	An Act to indemnify all Persons who have been concerned in issuing an Order of Council and Directions for extending the Time of certain Ships continuing to perform Quarantine.
c. 101.	*An Act the title of which begins with the words,*—An Act to repeal so much of an Act, passed in the Ninth Year,—*and ends with the words,*—Oxford and Cambridge from purchasing or holding Advowsons, except as therein is provided.
c. 104.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and six, and amend, several Acts for regulating and securing the Collection of the Duties on Spirituous Liquors distilled in Ireland, and the warehousing of such Spirits for Exportation.

c. 107.	An Act for charging, until the Twenty-fifth Day of March One thousand eight hundred and six, an additional Duty on Spanish Red Wine imported into Ireland.
c. 108.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and six, several Acts for the better Collection and Security of the Revenues of Customs and Excise in Ireland, and for preventing Frauds therein.
c. 110.	*An Act the title of which begins with the words,*—An Act for exempting from the Duties on Profits arising from Property,—*and ends with the words,*—Books of the Bank of England.
c. 111. in part.	An Act to amend and render more effectual an Act made in the Parliament of Ireland in the Fifth Year of His present Majesty, intituled An Act for erecting and establishing Publick Infirmaries or Hospitals in this Kingdom - - - - - } in part; namely,— Section Two.
c. 113.	An Act for granting a certain Sum of Money towards improving the Harbour on the North Side of the Hill of Howth near Dublin, and rendering it a fit Situation for His Majesty's Packets.
c. 114.	An Act for enabling the Commissioners of the Treasury of Great Britain to advance a certain Sum of Money to the Lord Provost, Magistrates, and Council of the City of Edinburgh, towards the Completion of the Docks and other Works in the Harbour of Leith.
c. 117.	An Act to continue the Proceedings in the House of Lords touching the Conduct of Luke Fox, Esquire, One of the Judges of the Court of Common Pleas of that Part of the United Kingdom called Ireland, notwithstanding any Prorogation or Dissolution of Parliament.
c. 118.	An Act for raising the Sum of Eight Millions by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and five.
c. 119.	*An Act the title of which begins with the words,*—An Act for raising the Sum of Two millions five hundred thousand,—*and ends with the words* —Money for the Public Service on the Credit of certain Exchequer Bills.
c. 120.	An Act for raising the Sum of One million five hundred thousand Pounds by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and five.
c. 124.	*An Act the title of which begins with the words,*—An Act to amend an Act, passed in the Fourth Year,—*and ends with the words,*—Appearances in Actions brought against Persons having Privilege of Parliament.
c. 125.	An Act to provide that the Proceedings now depending in the House of Commons upon Articles of Charge of High Crimes and Misdemeanors which have been exhibited against Henry Lord Viscount Melville shall not be discontinued by any Prorogation or Dissolution of Parliament.
c. 126.	*An Act the title of which begins with the words,*—An Act to indemnify Persons who shall give Evidence against Henry Lord Viscount Melville,—*and ends with the words,*—Office of Treasurer of His Majesty's Navy.
c. 127. in part.	An Act to vest the Townleian Collection of Ancient Sculpture in the Trustees of the British Museum, for the Use of the Publick - - - - } in part; namely,— Sections One and Six.
c. 129.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Consolidated Fund,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.

46 Geo. 3. c. 2.	An Act for continuing and granting to His Majesty certain Duties upon Malt in Great Britain, for the Service of the Year One thousand eight hundred and six.
c. 3.	An Act for continuing and granting to His Majesty a Duty on Pensions Offices, and Personal Estates in England; and certain Duties on Sugar, Malt, Tobacco, and Snuff in Great Britain, for the Service of the Year One thousand eight hundred and six.
c. 4.	An Act to enable His Majesty to grant a certain Annuity to Lady Viscountess Nelson, in consideration of the eminent Services performed by the late Vice Admiral Lord Viscount Nelson to His Majesty and the Publick.
c. 5.	An Act to enable His Majesty to grant a certain Annuity to Rear Admiral Sir Richard Strachan, Baronet, in consideration of the eminent Services which he has rendered to His Majesty and the Publick.
c. 6.	An Act for raising the Sum of Five Millions by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and six.
c. 8.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 10.	*An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Exportation of Sugar from Great Britain, and for allowing other Drawbacks and Bounties in lieu thereof.
c. 12.	*An Act the title of which begins with the words,*—An Act to continue several Acts for granting certain Rates and Duties,—*and ends with the words,*—Twenty-fifth Day of March One thousand eight hundred and seven.
c. 13.	An Act for settling and securing certain Annuities on Cuthbert Lord Collingwood, and the several other Persons therein described, in consideration of the signal and important Service performed by the said Cuthbert Lord Collingwood to His Majesty and the Publick.
c. 14.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and seven, and to amend, several Acts for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland.
c. 15.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, within the United Kingdom, and the Islands of Jersey, Guernsey, Alderney, Sark, and Man.
c. 16.	*An Act the title of which begins with the words,*—An Act to continue, until the First Day of June,—*and ends with the words,*—Navigation, between His Majesty and the United States of America.
c. 17.	An Act to permit, until the Twenty-fifth Day of March One thousand eight hundred and nine, the Exportation to the United Kingdom, of Wool from the British Plantations in America.
c. 18.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Persons employed or concerned in the said Manufacture.
c. 19.	An Act for defraying the Charge of the Pay and Cloathing of the Militia in Great Britain for the Year One thousand eight hundred and six.
c. 20.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.
c. 21.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 22.	*An Act the title of which begins with the words,*—An Act for defraying, until the Twenty-fifth Day of March,—*and ends with the words,*—making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.

c. 23. An Act to extend the Provisions of an Act passed in the Forty-fourth Year of the Reign of His present Majesty, for enabling Subjects of Foreign States to enlist as Soldiers in His Majesty's Service; and to indemnify those who have advised His Majesty to land such Soldiers in this Kingdom.

c. 24. An Act for further continuing, until the Twenty-fifth Day of March One thousand eight hundred and eight, an Act made in the Thirty-third year of the Reign of His present Majesty, for rendering the Payment of Creditors more equal and expeditious in Scotland.

c. 25. An Act for raising the Sum of Ten millions five hundred thousand Pounds, by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and six.

c. 26. An Act for raising the Sum of One million five hundred thousand Pounds, by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and six.

c. 27. *An Act the title of which begins with the words,*—An Act for continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Spirits of the British Sugar Plantations before Payment of the Duties of Excise.

c. 28. An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and thirteen, several Laws relating to the Transportation of Felons and other Offenders to temporary Places of Confinement in England and Scotland.

c. 29. *An Act the title of which begins with the words,*—An Act for reviving and continuing several Laws of Customs,—*and ends with the words,*—Twenty-fifth Day of March One thousand eight hundred and nine.

c. 30. An Act to authorize His Majesty, until the Twenty-fifth Day of March One thousand eight hundred and seven, to make Regulations respecting the Trade and Commerce to and from the Cape of Good Hope.

c. 31. *An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia Forces in Ireland as might voluntarily offer themselves to be employed in Great Britain.

c. 32. *An Act the title of which begins with the words,*—An Act to enable the Commissioners of His Majesty's Treasury of Ireland,—*and ends with the words,*—making forth Duplicates of Treasury Bills lost or destroyed.

c. 36. An Act to repeal so much of an Act of the last Session of Parliament, as charges a Duty of Three Shillings upon certain Tenements or Dwelling Houses in Ireland.

c. 39. An Act for granting to His Majesty, until Twelve Months after the Ratification of a Definitive Treaty of Peace, additional Duties of Excise on Tobacco and Snuff.

c. 40. An Act to enable His Majesty to grant a certain Annuity to Vice Admiral Sir John Thomas Duckworth, Knight of the most Honourable Order of the Bath, in consideration of the eminent Services which he has rendered to His Majesty and the Publick.

c. 41. An Act for raising the Sum of Three Millions by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and six.

c. 42. *An Act the title of which begins with the words,*—An Act for granting to His Majesty, during the present War,—*and ends with the words,*—exported from, or brought or carried Coastwise within Great Britain.

c. 46. An Act for raising the Sum of Five hundred thousand Pounds by Treasury Bills, for the Service of Ireland for the Year One thousand eight hundred and six.

c. 48.	An Act for continuing an Act made in this Session of Parliament, intituled An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, within the United Kingdom, and the Islands of Jersey, Guernsey, Alderney, Sark, and Man.
c. 49.	An Act for increasing the Salaries of the Judge of the Court of Admiralty in Scotland, and of the Judges of the Commissary Court in Edinburgh.
c. 51.	An Act to repeal several Acts passed in the Forty-third and Forty-fourth Years respectively of His present Majesty's Reign, for the raising and establishing an additional Force for the Defence of the Realm.
c. 53.	*An Act the title of which begins with the words,*—An Act for indemnifying all Persons who have been concerned in advising,—*and ends with the words,*—Territories, which have been conquered by His Majesty's Arms.
c. 56.	An Act to amend an Act of the last Session of Parliament for continuing and amending several Acts for regulating and securing the Collection of the Duties on Spirituous Liquors distilled in Ireland, and the Warehousing of such Spirits for Exportation.
c. 58.	An Act for establishing certain Regulations in the Collection and Management of His Majesty's Revenues of Customs, Excise, and Taxes in Ireland.
c. 62.	An Act for granting to His Majesty, until the Twenty-ninth Day of September One thousand eight hundred and six, certain Duties on the Importation, and to allow certain Drawbacks and Bounties on the Exportation of certain Sorts of Iron, Sugar, and Tea into and from Ireland.
c. 63.	An Act to repeal several Acts passed in the Forty-third and Forty-fourth Years of His present Majesty, for raising and establishing an additional Force in Ireland for the Defence of the Realm.
c. 65.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty, during the present War,—*and ends with the words,*—and to consolidate and render more effectual the Provisions for collecting the said Duties.
c. 66.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
c. 67.	An Act for granting to His Majesty certain Duties upon Malt and Spirits made in Ireland.
c. 76.	An Act for the better Regulation of the Office of Receiver General of the Stamp Duties in England.
c. 77.	*An Act the title of which begins with the words,*—An Act for continuing the Encouragement of Persons making Discoveries,—*and ends with the words,*—Longitude in carrying the Acts relating thereto into execution.
c. 80.	An Act to provide for the more effectual Examination of Accounts of the Expenditure of the Publick Money in the West Indies, and for the better Discovery of Frauds and Abuses therein.
c. 81.	An Act for better encouraging the Manufacture of Thread Lace in Great Britain.
c. 85.	*An Act the title of which begins with the words,*—An Act for reviving and continuing until the Twenty-fifth Day of March,—*and ends with the words,*—East Indies shall hire and take up Ships for their regular Service.
c. 90. in part.	An Act to enable His Majesty annually to train and exercise a Proportion of His Subjects in England, under certain Regulations, and more effectually to provide for the Defence of the Realm :— Except Section Forty-five.
c. 91.	An Act for the Return of correct Lists of Persons liable to serve in the Militia, under an Act passed in the Forty-second Year of His present Majesty; and to suspend the Ballot for the Militia in England for Two Years.

c. 93.	An Act to enable the Lords Commissioners of His Majesty's Treasury to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain for the Year One thousand eight hundred and six.
c. 94.	An Act to enable the Commissioners for executing the Office of Lord High Treasurer of Ireland, to contract for the Purchase of the Duties of Prisage and Butlerage in Ireland.
c. 95.	An Act for the more effectually regulating and providing for the Relief of the Poor, and the Management of Infirmaries and Hospitals in Ireland.
c. 96.	An Act to amend the Laws respecting the accounting for Money presented in Ireland for the making, repairing, widening, or fencing of Publick Roads, and the building and repairing of Bridges, Pipes, or Gullets.
c. 98.	An Act for making additional and further Provisions for the effectual Performance of Quarantine in Great Britain.
c. 103.	An Act for allowing, until the First Day of August One thousand eight hundred and seven, the Importation of certain Fish from Newfoundland, and the Coast of Labrador, and for granting a Bounty thereon.
c. 106. in part.	An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters, and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland - - :— Except Section Thirteen.
c. 107.	*An Act the title of which begins with the words,*—An Act for rectifying Mistakes in the Names of the Commissioners,—*and ends with the words,*—indemnifying such Persons as have acted as Commissioners for executing the said Acts.
c. 108.	An Act for the Relief of certain Insolvent Debtors.
c. 111.	*An Act the title of which begins with the words,*—An Act for authorizing His Majesty in Council,—*and ends with the words,*—His Majesty's Territories in the West Indies and Continent of South America.
c. 112.	An Act to amend the Laws of Excise, so far as relates to Prosecutions for Penalties, to the counterfeiting the Stamps on the Wrappers of Paper, and to the punishing Persons guilty of Perjury.
c. 113.	An Act to permit for and during the Continuance of the present War, French Wines to be imported from Ireland into Great Britain in Bottles or Flasks, under certain Restrictions.
c. 117.	An Act to permit until the First Day of January One thousand eight hundred and nine, the Importation of Masts, Yards, and Bowsprits, or of Timber fit for Naval Purposes, from the British Colonies in North America, Duty-free.
c. 119.	*An Act the title of which begins with the words,*—An Act to prohibit for Two Years,—*and ends with the words,*—Ships shall have been previously employed in the African Trade, or contracted for, for that Purpose.
c. 120.	*An Act the title of which begins with the words,*—An Act to continue several Acts for granting certain Rates and Duties,—*and ends with the words,*—and to amend several of the said Acts.
c. 121.	An Act to repeal so much of an Act, made in the First Year of King James the Second, as prohibits the Importation of Gunpowder, Arms, and Utensils of War, from Ireland.
c. 122.	An Act to revive and amend an Act made in the Parliament of Ireland, for enabling the Lord Lieutenant to appoint Commissioners for inquiring into the several Funds and Revenues granted for the Purposes of Education, and into the State and Conditions of all Schools in Ireland.
c. 125.	An Act for regulating the Rank of Officers in Yeomanry and Volunteer Corps.

c. 126.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 133.	An Act to amend an Act passed in the Forty-second Year of His present Majesty, for consolidating the several Acts passed for the Redemption and Sale of the Land Tax, and to make further Provision for exonerating small Livings and charitable Institutions from the Land Tax.
c. 134.	An Act to provide for the Security and Expedition of the Conveyance of Letters by the Post in Ireland.
c. 138.	An Act to repeal Part of the Excise Countervailing Duty on Irish Hops imported; for granting an Excise Countervailing Duty on the Importation of Irish Window Glass; and to exempt Tiles made for the Purpose of draining Lands from the Duties of Excise.
c. 139.	An Act for altering and amending several Laws relating to the Duties of Excise upon Malt, until the Twenty-fifth Day of March One thousand eight hundred and seven.
c. 144.	*An Act the title of which begins with the words,*—An Act to repeal an Act passed in the Forty-fourth Year,—*and ends with the words,*—Militia of England, so far as the same relates to the City of London.
c. 145.	An Act for enabling His Majesty to settle Annuities on certain Branches of the Royal Family.
c. 147.	An Act to enable His Majesty to continue a certain Annuity to George now Lord Rodney, Grandson of George Brydges Lord Rodney, in consideration of the eminent Services rendered to His Majesty and the Publick by the said George Brydges Lord Rodney.
c. 148. in part.	An Act for granting to His Majesty a Sum of Money to be raised by Lotteries :— Except Section Fifty-nine so far as it does not relate to penalties inflicted by that Act.
c. 149.	An Act for granting to His Majesty a certain Sum of Money out of the Consolidated Fund of Great Britain for the Year One thousand eight hundred and six; and for further appropriating the Supplies granted in this Session of Parliament.
c. 152.	*An Act the title of which begins with the words,*—An Act to stay, until Forty Days after the Commencement of the next Session,—*and ends with the words,*—buying of Oak Bark and rough Hides and Calves Skins in the Hair.
c. 154.	An Act for taking down the present Building in which the Treasury Chambers and Offices of the Court of Exchequer in Scotland were situated, and erecting new Buildings in lieu thereof.
c. 155.	An Act for applying certain Balances arising from the forfeited Estates in Scotland, towards making Canals, Harbours, and other Publick Works there.
c. 156.	An Act for appropriating certain Balances arising from the forfeited Estates in Scotland to the Use of the British Fisheries and the erecting a Lunatic Asylum at Edinburgh, and the Payment of the Officers of the late Board of annexed Estates in Scotland.

CHAPTER 64.

An Act for making provision for facilitating the Manœuvres of Troops to be assembled during the ensuing Autumn. [10th August 1872.]

WHEREAS it is intended that during the ensuing autumn a large body of troops should be assembled for the purposes of military instruction within the area mentioned in the schedule hereto, which area is herein-after referred to as the limits of this Act:

And whereas it is expedient that provision should be made for facilitating the exercise of the said troops, and for making compensation to persons whose lands may be damaged by the passage of such troops, and for other purposes connected with such assemblage of troops:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the "Military Manœuvres Act, 1872."

Regulations as to the forces.

Passage of forces over lands.

2. Within the limits of this Act the forces to which this Act applies, in this Act referred to as "the forces," with their arms, munitions of war, and stores, may pass over any unenclosed or any authorised enclosed lands, whether public or private, and may execute military manœuvres on such lands. They may also encamp on any unenclosed lands, or any authorised enclosed down land not under cultivation, or any authorised enclosed arable land from which the crops have been gathered, and for the purpose of any encampment, or for military exercises, dig trenches and throw up temporary field works on any such lands. The forces may supply themselves with water from any authorised sources of water, and may, for the purpose of obtaining such supply, dam up any running water, use any private or occupation roads, pass over any authorised enclosed lands, and do all such other acts and things as may be required. They may also make temporary bridges across streams at authorised places, and slope the banks, and otherwise do such acts in relation to the crossing streams as may be necessary for providing for the safe passage of the forces, with their arms, munitions of war, and stores.

Lands closed against passage of forces.

3. Nothing in this Act contained shall empower the forces to enter upon or interfere with any dwelling-house, farmyard, garden, orchard, pleasure ground, nursery ground, park, or any premises enclosed within the curtilage of or attached to any

dwelling-house, or any lands bearing roots or standing crops, or any underwoods, or any enclosed lands, except enclosed lands which may be declared to be lands on which the forces are authorised to enter, in this Act referred to as authorised enclosed lands.

Lands sown with artificial grasses, whether enclosed or not, shall be deemed to be enclosed lands within the meaning of this Act.

Compensation for damage done by forces.

4. Full compensation shall be made, out of moneys to be provided by Parliament, for any damage that may be caused to any lands within the limits of this Act, by or in consequence of the forces, or the strangers accompanying such forces, passing over or occupying such lands; and the amount of compensation payable to any person entitled to such compensation shall, if disputed, in each case of damage be determined as herein-after mentioned; but no person belonging to the forces shall be liable to any action, suit, indictment, or other legal proceeding in respect of any trespass committed by him upon or damage done to land situate within the limits of this Act.

Commission for making regulations as to passage of forces over lands.

5. A commission shall be formed, consisting of the Lords Lieutenant of the counties of Dorset and Wilts, and the members representing in this present Parliament the county of Dorset, and the Northern and Southern Divisions of the county of Wilts, respectively, and one of Her Majesty's Principal Secretaries of State may from time to time, by writing under his hand, add to their number, or fill up any vacancy occasioned in their number by the death, resignation, or unwillingness to act of any member of such commission. The commission shall make such rules as to their places and times of meeting, their quorum at meetings, and their modes of procedure as they think fit. Every question shall be decided by a majority of the votes of the members of the commission voting on that question.

The officer in command of the forces, or any officer or officers from time to time deputed by him, and the said commission, in this Act called the consultative commission, shall from time to time by order authorise anything by this Act directed to be authorised, and in particular declare what enclosed lands are to be deemed to be authorised lands for the purposes of this Act. The said officer and commission may also by order make regulations with respect to the protection of cattle and sheep by securing the same in folds or farmyards, and with respect to any other matter or thing which they may deem essential for the purpose of preventing damage to property and for the more efficiently carrying into effect the purposes of this Act.

Public notice shall be given, in such manner as may be directed by the consultative commission, of any regulation made in pursuance of this Act for the protection of any cattle, sheep, or other property, and no person who neglects to

comply with any regulation so made in relation to his property shall be entitled to claim compensation in respect of any damage caused to such property in consequence of his having been guilty of such neglect as aforesaid.

The consultative commission may from time to time delegate any of the powers by this Act given to them to any committee or committees consisting of two or more of their number, and any such committee or committees shall, from time to time, attend upon and be in communication with the officer commanding the forces, or any officer or officers deputed by him, during the time such forces are assembled in pursuance of this Act.

Any order made in pursuance of this Act in relation to lands may describe such lands by reference to a map or in any other convenient manner, and any order declaring what lands are to be deemed authorised enclosed lands may either describe the lands so authorised or may declare all the lands within the limits of this Act, or within any particular area with the specified exceptions, to be authorised enclosed lands.

Any lands from entering on which the forces are prohibited shall, when deemed necessary by the consultative commission, be marked by flags or in such other manner as may for the time being be directed by the said commission.

Any order made under this Act may be altered or amended or a new order made in lieu thereof.

Mode of determining the compensation payable in respect of damage by passage of forces.

6. The following enactments shall be made with respect to compensation for damage under this Act:

(1.) The Commissioners of the Treasury shall appoint a fit person, in this Act called the compensation officer, whose duty it shall be, immediately the forces have ceased to occupy or pass over any part of the limits of this Act, to ascertain the damage done, and to receive and settle summarily, and as far as practicable, by agreement, the amount of compensation, in which case the compensation officer shall either cause the compensation to be paid at once, or shall give a writing to the person entitled, stating the amount to be paid, and the place and date at which the same will be paid, such date not being later than thirty days from the time at which such writing is given:

(2.) The mode in which claims of compensation are to be sent to the compensation officer shall be notified within the limits of the Act in manner directed by the consultative commission. Every claim for compensation shall be sent to the compensation officer immediately after the forces have ceased to occupy or pass over the land in respect of which compensation is claimed, and at the latest within one week after the damage done:

(3.) Compensation may be paid to the person in actual occupation of the land in respect of which it is claimed, or in case of his absence, or inability, to his wife or some member of his family, his steward, or other person acting for him in the cultivation and management of the land, whose receipt shall be a complete discharge for the damage in respect of which the compensation is paid:

(4.) The Commissioners of the Treasury may, if they think fit, appoint two or more persons to be compensation officers, and each of the persons so appointed shall perform the duties and have the powers by this Act conferred on the compensation officer:

(5.) If the compensation officer fails to settle any claim for compensation, or is unable to decide the person to whom compensation is payable, the case shall be referred by him to the court of arbitration established under this Act, with a statement by the compensation officer of what he considers a fair compensation for the damage done:

(6.) A court of arbitration shall be formed, consisting of three persons, one of whom shall be named by the consultative commission, in writing under the hands of any two or more of the members of that commission, one by the Commissioners of Her Majesty's Treasury, and the third by the two persons already chosen, in writing under their hands, or, in case of their failure to agree as to such appointment within three days, by the chief justice of the Court of Queen's Bench:

(7.) Any vacancy in the office of any member of the court of arbitration occasioned by death, resignation, unwillingness to act, or otherwise, shall be filled up by the authority which appointed the vacating member in the same manner in which the vacating member was appointed:

(8.) There shall be paid to the members of the court of arbitration such compensation as the said Secretary of State may, with the approval of the Treasury, determine:

(9.) The court of arbitration shall have full power to decide all questions whatsoever, whether of law or fact, which it may be necessary to decide for the purpose of awarding compensation under this Act, and in particular to decide in any case of alleged damage to lands, whether such damage was or was not caused by or in consequence of the forces, or the strangers accompanying such forces passing over or occupying such lands, and also (if such damage was so caused) to determine the person entitled to receive compensation for such damage, and the court of arbitration

shall not be subject to be restrained in the due execution of its powers by the order of any court, nor shall any proceedings before it be removed by certiorari into any court, nor shall any award by it be set aside:

(10.) The court of arbitration may examine witnesses on oath, and with respect to the enforcing the attendance of witnesses, after a tender of their expenses, the examination of witnesses, and the production of books, papers, and documents, shall have all such powers, rights, and privileges as are vested in one of Her Majesty's superior courts of law for such or the like purposes:

(11.) The court of arbitration may hold its sittings at such times and places as it thinks expedient, and any jurisdiction or act to be exercised or done by the court of arbitration may be exercised or done by any two members of that court:

(12.) The court of arbitration may appoint a valuer, and may delegate to such valuer such powers of assessing compensation under this Act as it may think fit; but an appeal may be had from his decision to the court of arbitration:

(13.) The court of arbitration may examine the valuer as to the amount of compensation which in his opinion ought to be paid in any case of damage brought before it, and may adopt or reject his opinion as it thinks just:

(14.) The court of arbitration may review and rescind or vary any order or decision previously made by it; but, save as aforesaid, every order or decision of the said court shall be final:

(15.) The court of arbitration shall publish in such manner as it thinks fit directions as to the mode in which applications are to be made to it under this Act:

(16.) The court of arbitration shall not be bound to hear any counsel or attorney, but any person claiming compensation may appear in person or by some agent authorised by him in writing, and the court of arbitration may, in addition to compensation for damage, grant further compensation for costs reasonably incurred in substantiating a claim, or may refuse such costs wholly or partially, or reduce the amount of compensation if the person claiming refused a fair offer from the compensation officer:

(17.) Any person fraudulently claiming and receiving compensation to which he is not entitled shall be guilty of a fraud, and liable to be dealt with as if he had fraudulently received money under false pretences, and shall in addition be liable to pay the money received to the person entitled thereto.

Regulations as to persons not belonging to the forces, and Miscellaneous.

7. If any stranger commits any trespass upon or does any damage to any lands within the limits of this Act, he shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding forty shillings, in addition to making full compensation in money for any damage he may have caused. Offences against Act.

Any stranger going on any lands within the limits of this Act on which the public is not entitled by law to go without the permission of the officer in command of the forces, or of some officer deputed by him, shall be deemed to have committed a trespass on such lands, and be punishable accordingly.

If any stranger, not having such permission as aforesaid, when warned not to go on any land, attempts to go thereon, or when on such land and warned to depart therefrom refuses to depart, he shall, in addition to any other penalty to which he may be subject, be deemed guilty of an offence against this Act, and be liable to a penalty not exceeding forty shillings. He may also be prevented by force from going on, or be removed by force from any such lands as aforesaid.

For the purposes of this section, a warning not to go on lands or to depart from lands may be given by any sentinel or other person belonging to the forces or by any constable, and in the case of enclosed lands every stranger not having such permission as aforesaid shall be deemed to have been warned not to go upon such lands and be punishable accordingly.

Any constable may take possession of any horse or carriage with which any stranger is trespassing, and may remove the same from any lands on which it is found; and no compensation shall be payable in respect of any damage which may accrue to any such horse or carriage by reason of such removal, which is not caused by the wilful act or neglect of the constable removing the same.

If any person without due authority moves any flag or other mark distinguishing any lands, or obstructs or interferes with the movements of the forces, he shall be guilty of an offence against this Act, and be liable to a penalty not exceeding five pounds.

If any person without the special permission in writing of the officer in command of the forces, or of some officer deputed by him, enters on any lands for the time being directed to be kept clear, or within the lines of any encampment belonging to the forces, he shall be guilty of an offence against this Act, and be liable to a penalty not exceeding forty shillings; and may, if he refuses to go, be removed by force from any lands on which he has so entered.

Any person charged with committing any offence against this Act may be taken into custody without warrant by any constable or person authorised to act as a constable, and may be detained until he can be brought before a special magistrate and be dealt with according to law: Provided that no person shall be detained under the powers of this section without being brought before a special magistrate for more than six hours.

Any constable or person authorised by this Act to act as a constable using force in cases in which force is by this section permitted to be used, shall be indemnified from all consequences which may result from such user of force.

Any two justices of the peace residing in the immediate vicinity of a place where encampments or manœuvres are about to take place, or any special magistrate accompanying a body of troops, may upon the requisition of the superior officer commanding them, and with the consent of the owner or occupier of land over which any footpaths or other rights of way (save turnpikes, county or parish roads) exist, temporarily close or divert the same; provided always, that the duration and limits of such stoppage or diversion shall be publicly declared by printed notices twelve hours previous to such occupation or passage of troops.

The permission of the officer in command of the forces, or of some officer deputed by him, shall, for the purposes of this section, be signified by a document written or printed, or partly written and partly printed, and authenticated in such manner as may be directed by the said Secretary of State.

Constables to be appointed for repression of offences against Act.

8. The said Secretary of State, with the consent of the authority having power to dispose of the services of any constables, may, by order under his hand, appoint such constables, or any of them, to act as constables within the limits of this Act; and every constable so appointed shall, within the limits of this Act, have all such powers, privileges, and immunities, and be liable to all such responsibilities, as any constable duly appointed has within his constablewick, by virtue of the common law of the realm or of any Act of Parliament for the time being in force.

Any person belonging to the forces may, when called upon by any constable, assist such constable in performing any duty imposed upon him by this Act, or may, when directed by his commanding officer, act as a constable in respect of any offence against this Act; and any person so assisting or directed to act shall, during the performance of such duty, have the same powers, privileges, and immunities as a constable appointed by the said Secretary of State to act within the limits of this Act.

Justices to be appointed

9. The said Secretary of State may, by order under his hand, appoint any county justice or justices, having juris-

diction within the limits of this Act, or any part of such limits, with his or their consent, to attend for any time named in such order, the forces or any portion of such forces; and any justice so appointed, in this Act referred to as a special magistrate, shall, during the time so named, have jurisdiction, as a justice of the peace, to punish any offence against this Act, by whomsoever committed, within the limits of this Act, and any offence by any other Act punishable upon summary conviction, and committed by any stranger. for punishment of offences against Act.

Any power by this Act given to a special magistrate may be exercised by any two or more special magistrates.

Any special magistrate may try any case in the open air, or in any other place which he may think convenient, and if the offence be committed in view of such magistrate he may punish the offender without any further evidence. An information in writing shall not be required in respect of any offence triable by any special magistrate.

Where the special magistrate determines that compensation is to be paid by any offender for any damage caused by him to lands, such magistrate shall order such compensation to be paid to the person entitled to receive such compensation, and shall, for the purpose of determining the person so entitled, and the amount of compensation payable, but subject to the appeal herein-after mentioned, have all the powers by this Act given to the court of arbitration, and the magistrate making such order shall certify the same to the compensation officer, and the amount so paid shall be taken into consideration in considering any further claim to compensation in respect of the damage so committed.

Where any person is guilty of an offence against this Act at a place where the forces, or any portion of them, are exercising or encamping, the special magistrate before whom such offence is tried may, if he thinks fit, instead of subjecting the offender to any other penalty, commit him to the custody of any constable or constables, and direct him to be detained by such constable or constables, either on the field, or at any convenient spot, for any period not exceeding six hours; and such order of commitment shall be valid without any preliminary written proceedings, provided that the special magistrate is satisfied that the offender has been guilty of the offence in respect of which he is committed to custody.

Subject as aforesaid, any offence triable under this Act by any special magistrate shall be prosecuted, as nearly as may be, in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of Justices of the Peace out of sessions within England and Wales with respect to summary convictions and orders," inclusive of any Acts amending the same.

No order made, or warrant issued, or other act or thing done, in pursuance of this Act, by a special magistrate, shall be impeached on the ground of any defect in the jurisdiction of such magistrate, unless the objection to such jurisdiction is made at the time of the making or issue of such order or warrant, or the doing of such act or thing.

Where a special magistrate under this Act awards, by way of compensation for any damage done to lands, any sum exceeding five pounds, any person aggrieved by the decision of such magistrate may, upon giving security for costs to the satisfaction of the magistrate, appeal to the next practicable court of general or quarter sessions holden for the county in which the cause of appeal has arisen, and such court may, upon the hearing of the appeal, confirm, reverse, or modify the decision of the special magistrate, or make such other order in the matter as the court thinks just.

Offences against this Act shall be triable only by a special magistrate, but subject as aforesaid nothing in this section contained shall affect any jurisdiction which the justices of the county in which any offence may be committed would have had if this Act had not passed.

Evidence of orders and regulations.

10. Evidence of any order or regulation made or permission given by the consultative commission, and the officer in command of the forces, or any officer deputed by him, or by any of the said parties, may be given in all legal proceedings whatever by the production of a copy purporting to be certified to be a true copy by any member of the said consultative commission, or by the officer in command of the forces, or any officer from time to time deputed by him, and notice of any order or regulation made as aforesaid may be served on any person personally or by leaving a copy of such notice at his usual place of abode.

No proof shall be required of the handwriting or official position of any person certifying in pursuance of this section to the truth of a copy of any such order or regulation or document showing permission given.

Any order or regulation of which evidence is given in pursuance of this Act shall, until the contrary is proved, be deemed to have been duly made.

Specified camping grounds to be within the limits of Act.

11. The several areas hereafter in this section mentioned, on which it is intended that the forces should encamp or halt on their march to the limits of this Act, shall be deemed for all purposes to be within the limits of this Act, to the same extent as if they were included in the schedule hereto; that is to say, viz., Bramshill Common, Hartford-bridge Flats, Hazeley Heath, Hook Common, Silchester Common, Aldermaston Heath, Burghfield Common, Crookham Heath, Greenham Heath, Kingsclere Down and the space between it and the Kingsclere Stream, Inkpen Common, Little Bedwin Com-

mon or Down, Crofton Common or Down, Wilton Common or Down, Hungerford Down, Harding Common or Down, Cold East Common, Southampton Common, Lyndhurst Racecourse, Ashley Heath, Woolbridge Common, Plaitford Common, Tichborne Down, Compton Down, East Wellow Common, and all such lands adjacent to any of the said commons, heaths, or downs, or capable of affording a supply of water to the forces while encamped or halting on such commons, heaths, and downs, as an officer to be appointed in manner in this section mentioned and the officer in command of the forces or any officer from time to time deputed by him may in writing declare to be authorised lands.

The Lord Lieutenant of every county in which any of the said areas are situate shall appoint an officer or officers to act under this section for that county, and every officer so appointed shall, in respect of the several areas and lands mentioned in this section and situate in the county for which he is appointed, have the same powers and stand in the same relation to the officer in command of the forces, or any officer from time to time deputed by him, as the consultative commission has and stands in in the case of the lands mentioned in the schedule hereto.

If the Lord Lieutenant of any county in which any of the said areas are situate, omit to comply with the provisions of this section with respect to the appointment of an officer for a period of fourteen days after the passing of this Act, the Secretary of State may make such appointment instead of such Lord Lieutenant. Any vacancy in the office of an officer appointed under this section may be filled up by the authority which appointed him.

Power of Secretary of State to order Irish militia to join autumn manœuvres.

12. One of Her Majesty's Principal Secretaries of State may order any part of the militia of Ireland to join the forces under this Act; and any militia so ordered shall, from and after the date of such order, and for such time as may be therein specified, be deemed to be called out for the purposes of being trained and exercised, and shall be subject to the laws for the time being in force for the punishment of mutiny and desertion, or otherwise applicable to such militia, to the same extent and in the same manner, so far as circumstances admit, as if such militia was assembled in Ireland for the purposes of training and exercise.

Definitions.

Definitions.

13. In this Act, if not inconsistent with the context, the following expressions have the meanings herein-after respectively assigned to them; that is to say,

The expression "forces to which this Act applies" or "the forces" means and includes all such regular troops, militia, yeomanry, volunteers, licensed sutlers, and fol-

lowers in or of any of the said forces, as may for the time being be assembled within the limits of this Act during the ensuing autumn for the purposes of military instruction, and are subject to the Mutiny Act and Articles of War; it shall also include any police attached to the said forces, but not so as to subject such police to the Mutiny Act and Articles of War:

The officer commanding the forces, or any officer or officers deputed by him, may from time to time grant licenses to persons applying for the same authorising such persons to act as licensed sutlers in the said forces, or to the followers of the said forces, and may from time to time revoke any licenses so granted:

Any holders of such licenses shall be subject to the Mutiny Act and Articles of War, and shall be deemed to be licensed sutlers and followers within the meaning of the said Act and Articles, but all other sutlers and followers in or of the said forces shall for the purposes of this Act be deemed to be strangers:

Any licenses granted in pursuance of this section shall be in such form and authenticated in such manner as may be prescribed by the said Secretary of State, and shall declare the fact that the person thereby licensed is subject to the Mutiny Act and to the Articles of War:

The expression "strangers accompanying the forces" or "strangers" or "stranger" means all such persons or any such person as may for the time being be attending on or accompanying the forces to which this Act applies, for the purpose of trading, amusement, or any other purposes whatever, and are not or is not subject to the Mutiny Act and Articles of War, but shall not include any owner or occupier of lands when on the lands owned or occupied by him:

The expression "damage to lands" includes damage to trees, underwoods, crops, animals, or other property on such lands, and also any loss or injury that may be sustained by the occupier of any such lands on account of his being unable to cultivate and sow corn or other seeds on such lands during such occupation and passing over such lands; also any loss or injury sustained by any occupier from shutting up and securing his cattle or sheep in folds or farmyards; also any loss or injury sustained by any person by the damming up of any running stream, or by injury to or exhaustion of any pond or source of water, or by the use of any private or occupation roads; and "lands" includes lands covered by water:

The expression "arms, munitions of war, and stores" includes all matters and things required for the use of the forces to whom this Act applies, and all animals and

conveyances used for the conveyance of such matters or things; also all animals used for the food of the forces.

The expression "unenclosed lands" includes any unfenced or open lands.

Duration of Act.

Time during which Act is to remain in force.

14. This Act, in so far as it relates to the power of the forces to pass over and occupy land, shall remain in force till the first of October next, and no longer, but in so far as it relates to the giving of compensation for damage caused by the passage or occupation of such forces, shall remain in force till the first of June one thousand eight hundred and seventy-three, and no longer.

SCHEDULE.

AREA FORMING LIMITS OF ACT.

For the purposes of this Act the area therein referred to shall be deemed to be enclosed by a boundary drawn from the railway bridge over the river Avon, near Ringwood, westerly along the line of railway to the high road leading to Crawford Bridge, thence along the high road to the church at the village of Kingston, thence along an imaginary straight line to the western point of the ancient intrenchment on Hameldon Hill, thence along an imaginary straight line to the church at Longbridge Deverill, thence along the high road to the railway station at Warminster, thence along an imaginary straight line to the church at Little Cheveril, thence along an imaginary straight line to the railway station at Woodborough, thence along the railway easterly to the engine house near the village of Wilton, thence along an imaginary straight line to the Grately station on the South-western Railway, thence along that railway to the bridge over the river Avon near Salisbury, thence along the river Avon to the railway bridge near Ringwood.

CHAPTER 65.

An Act to amend the Bastardy Laws.

[10th August 1872.]

WHEREAS an Act was passed in the seventh and eighth years of the reign of Her Majesty, chapter one hundred and one, intituled "An Act for the further amendment of the "laws relating to the poor in England:" 7 & 8 Vict. c. 101.

And whereas it is expedient to amend the said recited Act with respect to proceedings in bastardy:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Bastardy Laws Amendment Act, 1872."

Repeal of enactments as in schedule.

2. The enactments specified in the first schedule to this Act are hereby repealed, except as to anything heretofore duly done thereunder, and except so far as may be necessary for the purpose of supporting and continuing any proceeding taken before the passing of this Act.

Putative father to be summoned to petty sessions on application of mother of bastard child.

3. Any single woman who may be with child or who may be delivered of a bastard child after the passing of this Act may either before the birth or at any time within twelve months from the birth of such child, or at any time thereafter, upon proof that the man alleged to be the father of such child has within the twelve months next after the birth of such child paid money for its maintenance, or at any time within the twelve months next after the return to England of the man alleged to be the father of such child, upon proof that he ceased to reside in England within the twelve months next after the birth of such child, make application to any one justice of the peace acting for the petty sessional division of the county, or for the city, borough, or place in which she may reside, for a summons to be served on the man alleged by her to be the father of the child, and if such application be made before the birth of the child the woman shall make a deposition upon oath stating who is the father of such child, and such justice of the peace shall thereupon issue his summons to the person alleged to be the father of such child to appear at a petty session to be holden after the expiration of six days at least for the petty sessional division, city, borough, or other place in which such justice usually acts.

Justices in petty session may make an order on the putative father for maintenance, education, &c. of bastard child, and enforce the same by distress and commitment.

4. After the birth of such bastard child, on the appearance of the person so summoned, or on proof that the summons was duly served on such person, or left at his last place of abode, six days at least before the petty session, the justices in such petty session shall hear the evidence of such woman and such other evidence as she may produce, and shall also hear any evidence tendered by or on behalf of the person alleged to be the father, and if the evidence of the mother be corroborated in some material particular by other evidence to the satisfaction of the said justices, they may adjudge the man to be the putative father of such bastard child; and they may also, if they see fit, having regard to all the circumstances of the case, proceed to make an order on the putative father for the payment to the mother of the bastard child, or to any person who may be appointed to have the custody of such child, under the provisions of the said recited Act, of a sum of money weekly, not exceeding five shillings a week, for the

maintenance and education of the child, and of the expenses incidental to the birth of such child, and of the funeral expenses of the child, provided it has died before the making of such order, and of such costs as may have been incurred in the obtaining of such order; and if the application be made before the birth of the child, or within two calendar months after the birth of the child, such weekly sum may, if the said justices think fit, be calculated from the birth of the child; and if at any time after the expiration of one calendar month from the making of such order as aforesaid it be made to appear to any one justice, upon oath or affirmation, that any sum to be paid in pursuance of such order has not been paid, such justice may, by warrant under his hand and seal, cause such putative father to be brought before any two justices, and in case such putative father neglect or refuse to make payment of the sums due from him under such order, or since any commitment for disobedience to such order as herein-after provided, together with the costs attending such warrant, apprehension, and bringing up of such putative father, such two justices may, by warrant under their hands and seals, direct the sum so appearing to be due, together with such costs, to be recovered by distress and sale of the goods and chattels of such putative father, and may order such putative father to be detained and kept in safe custody until return can be conveniently made to such warrant of distress, unless he give sufficient security, by way of recognizance or otherwise, to the satisfaction of such justices, for his appearance before two justices on the day which may be appointed for the return of such warrant of distress, such day not being more than seven days from the time of taking any such security; but if upon the return of such warrant, or if by the admission of such putative father, it appear that no sufficient distress can be had, then any such two justices may, if they see fit, by warrant under their hands and seals, cause such putative father to be committed to the common gaol or house of correction of the county, city, borough, or place where they have jurisdiction, there to remain, without bail or mainprize, for any term not exceeding three calendar months unless such sum and costs, and all reasonable charges attending the said distress, together with the costs and charges attending the commitment and conveying to gaol or to the house of correction, and of the persons employed to convey him thither, be sooner paid and satisfied.

Time of cessation of order.

5. No order for the maintenance and education, or for contribution towards the relief of any such child made in pursuance of this Act shall, except for the purpose of recovering money previously due under such order, be of any force or validity after the child in respect of whom it was made has attained the age of thirteen years, or after the death of such child;

provided that the justices may in the order direct that the payments to be made under it in respect of the child shall continue until the child attains the age of sixteen years, in which case such order shall be in force until that period.

Proof of service of summons in certain cases.

6. In cases where the putative father of any bastard child resides out of the petty sessional district where the mother applies for a summons or order of maintenance, it shall be lawful to prove by affidavit in the form referred to in the second schedule to this Act, or to the like effect, that such summons or order has been duly served.

Payments for bastard children.

7. When and so often as any bastard child for whose maintenance an order has been made by justices on the application of the mother shall become chargeable to any parish or union, any two justices having jurisdiction in the parish or union in petty sessions may, if they shall see fit, by order under their hands and seals, from time to time appoint some relieving or other officer of the parish or union to which such bastard child shall be so chargeable to receive on account of such parish or union such proportion of the payments then due or becoming due under the said order as may accrue during the period for which such child is chargeable, and such appointment shall remain in force for the period of one whole year whenever the bastard child shall be or have become chargeable as aforesaid, and may afterwards from time to time be renewed by endorsement under the hand of any one justice for the like period; and any payment so ordered to be made shall be recoverable by the relieving officer or other officer appointed to receive it in the manner provided for the recovery of payments under an order obtained by the mother.

Guardians may recover cost of relief of bastard child in certain cases.

8. When a bastard child becomes chargeable to a union or parish, the guardians may apply to two justices having jurisdiction in the union or parish, in petty sessions, and thereupon such justices may summon the man alleged to be the father of the child to appear before any two justices having the like jurisdiction, to show cause why an order should not be made upon him to contribute towards the relief of the child, and upon his appearance, or in the event of his not appearing, upon proof of due service of the summons upon him, such justices may, if satisfied that he is the father of the child, upon such evidence as is by this Act required in the case of a summons issued upon the application of the mother, make an order upon such putative father to pay to the guardians or one of their officers such sum, weekly or otherwise, towards the relief of the child during such time as the child shall continue or afterwards be chargeable, as shall appear to them to be proper; and such order shall, if the payments required by it to be made be in arrear be enforced in the manner prescribed by the Act of the eleventh and twelfth Victoria, chapter

forty-three, for the enforcing of orders of justices requiring the payment of a sum of money: Provided as follows:

1. That no payments shall be recoverable under such order except in respect of the time during which the child is actually in receipt of relief:
2. That an order under this section shall not be made, and if made, shall cease, except for the recovery of arrears when the mother of the child has obtained an order under this Act:
3. That nothing in this section shall be deemed to relieve the mother of a bastard child from her liability to maintain such child:
4. That any person upon whom an order is made under this section shall have the same right of appeal against such order as in the case of an order obtained on the application of the mother:
5. That if after an order has been made under this section the mother should apply for an order under this Act, the order made under this section shall be primâ facie evidence that the man upon whom the order is made is the father of the child.

Appeals.

9. The court of quarter sessions, on appeal to them against any order made pursuant to the provisions of this Act, may, if they think fit, reduce the amount directed to be paid for the maintenance and education or on account of the relief of the child named in such order, and they shall thereupon alter the order accordingly.

Act incorporated with recited Act.

10. This Act shall be deemed to be incorporated with the said recited Act, and shall be construed as if the said recited Act (except such parts thereof as have been repealed or amended by this Act) and this Act were one Act.

Extent of Act.

11. This Act shall not extend to Scotland or Ireland.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Date and Chapter of Act.	Title of Act.	Extent of Repeal.
7 & 8 Vict. c. 101. -	An Act for the further amendment of the laws relating to the poor in England.	Sections 2 and 3; section 5 from "Provided always," to end of section; and section 7, to "Provided always."
31 & 32 Vict. c. 122.	An Act to make further amendments in the laws for the relief of the poor in England and Wales.	Section 41.

SECOND SCHEDULE.

Affidavit of Service.

I, *A.B.*, one of the officers of the constabulary of the county of make oath and say, that I did, on the day of 18 , duly serve the defendant with a summons [*or* order], a true copy whereof is herewith annexed, marked A, by delivering the same personally to the defendant [*or* by leaving the same with at the place of abode of the defendant].

[I endorse the copy summons (*or* order) thus . This paper, marked A, is the paper referred to in the annexed affidavit.]

Sworn at , in the county of , this day of 18 , before me,

J.B.,
Justice of the peace for the said county.

CHAPTER 66.

An Act to amend the Royal Military Canal Act, 1867.

[10th August 1872.]

30 & 31 Vict. c. 140.

WHEREAS by section three of the Royal Military Canal Act, 1867, it is provided that the Secretary of State for War may at any time, or from time to time, sell and convey or demise for or at such consideration or rent, in such manner, on such terms, and subject to such conditions, reservations, and provisions as he thinks fit, to any persons or body willing and competent to purchase or take a demise of the same, all or any part or parts of the canal called the Royal Military Canal, extending from Shorncliffe in the county of Kent to Cliff End in the county of Sussex, and of the military road and towing path and other works connected therewith, and of the lands, buildings, rights, easements, and appurtenances held or enjoyed therewith, or for the purposes thereof:

And whereas it is expedient that power should be given to said Secretary of State for War to grant the said canal to any person or body willing to take the same, on such conditions as he may think expedient, with or without the payment by such person or body of a pecuniary consideration for the said canal:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Power to Secretary of State to grant

1. The Secretary of State for War may at any time grant in such manner, on such terms, and subject to such conditions,

reservations, and provisions as he thinks fit, and either with or without payment of any consideration money, to any person or body willing to take the same, all or any part or parts of the canal called the Royal Military Canal, extending from Shorncliffe in the county of Kent to Cliff End in the county of Sussex, and of the military road and towing path and other works connected therewith, and of the lands, buildings, rights, easements, and appurtenances held or enjoyed therewith for the purposes thereof. the Royal Military Canal to any person or body willing to take the same.

2. This Act may be cited for all purposes as "The Royal Military Canal Act, 1872." Short title.

CHAPTER 67.

An Act for making further provision respecting the application of the Revenues of Greenwich Hospital. [10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as The Greenwich Hospital Act, 1872; and this Act and The Greenwich Hospital Acts, 1865 to 1870, shall be read and have effect together as one Act, and may be cited together as The Greenwich Hospital Acts, 1865 to 1872. Short title and construction of Act.

2. The Admiralty may from time to time provide life annuities for masters and seamen of the Mercantile Marine who contributed out of their wages the sum of sixpence per month towards the support of Greenwich Hospital, by the purchase of annuities for their lives and benefit from the Commissioners for the Reduction of the National Debt, under the Savings Banks Annuities Acts, being the Acts described in the schedule to this Act. Substitution of annuities for pensions to masters and seamen of Mercantile Marine.

Annuities shall be purchased under this section for such persons only as are entitled to pensions under the regulations made by Order of Her Majesty in Council, under section twelve of The Greenwich Hospital Act, 1869, in force at the passing of this Act; and the amount of any annuity purchased for any person under this section shall not exceed the amount of pension to which the annuitant would be entitled under those regulations.

As soon as provision has been so made for all such pensions as aforesaid, the same being declared by Her Majesty in Council, the annual sum payable by the Admiralty to the Board of Trade for those pensions shall cease to be payable.

Notwithstanding anything in the Savings Banks Annuities Acts, the amount of any annuity purchased under this section may be such as the Admiralty and the Commissioners for Reduction of the National Debt from time to time agree; and subject thereto all the provisions of the Savings Banks Annuities Acts shall extend and apply to every such annuity.

Purchase of annuities out of capital.

3. The purchase by the Admiralty under this Act of life annuities shall be made by means of cash for the time being standing to the credit of the Greenwich Hospital Capital Account; and for that purpose the Admiralty may from time to time convert into money any Bank annuities, stocks, funds, or securities for the time being held by them for the benefit of Greenwich Hospital; and all money produced thereby shall be paid into the Bank of England to the cash account of Her Majesty's Paymaster-General, who shall carry the same to the Greenwich Hospital Capital Account.

Education and maintenance of daughters of seamen and marines, &c.

4. The Admiralty may, under regulations to be from time to time made by them, provide wholly or in part, for the education and maintenance of daughters of warrant officers, non-commissioned officers, and men, of the Royal Navy and Marines, subject to the following restrictions:

(1.) The total number of girls being educated and maintained under this section at any one time shall not exceed two hundred:

(2.) The amount expended under this section on the education and maintenance of any girl shall not exceed the rate of twenty pounds a year.

Education and maintenance of sons and daughters of deceased officers, &c.

5. The Admiralty may, under regulations to be from time to time made by them, provide, wholly or in part, for the education and maintenance of sons and daughters of deceased or distressed commissioned officers of the Royal Navy or Marines, subject to the following restrictions:

(1.) The total number of boys and girls being educated and maintained under this section at any one time shall not exceed fifty:

(2.) The amount expended under this section on the education and maintenance of any boy or girl shall not exceed the rate of twenty pounds a year.

Regulations to be approved by Her Majesty.

6. Regulations made by the Admiralty under this Act shall not have effect unless and until they are approved by Her Majesty in Council.

Expenses to be voted by Parliament, and money to be repaid.

7. The expenses of the education and maintenance provided under this Act shall be in the first instance defrayed out of money provided by Parliament, and shall be repaid to the Consolidated Fund of the United Kingdom from the Greenwich Hospital Income Account in like manner as money expended out of money provided by Parliament for the purposes of The Greenwich Hospital Act, 1865, is repaid thereto.

8. The provisions of section twenty of The Greenwich Hospital Act, 1865, as far as the same relate to salaries, shall extend to pensions and pecuniary benefits of any kind. Section 20 of the Act of 1865 to extend to pensions, &c. of any kind.

SCHEDULE.

Savings Banks Annuities Acts.

16 & 17 Vict. c. 45.—An Act to consolidate and amend the laws and to grant additional facilities in relation to the purchase of Government Annuities through the medium of Savings Banks, and to make other provisions in respect thereof.

27 & 28 Vict. c. 43.—An Act to grant additional facilities for the purchase of small Government Annuities, and for assuring payments of money on death.

CHAPTER 68.

An Act to make provision for defraying the Expenses of building Barracks and otherwise providing for the Localization of the Military Forces.

[10th August 1872.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, being desirous to provide for the building barracks and otherwise effecting the localization of the military forces of this kingdom, have cheerfully granted to Your Majesty the sum of three million five hundred thousand pounds, to be paid out of the Consolidated Fund towards defraying the expenses to be incurred in carrying into effect the several purposes relating to the building barracks and otherwise localizing the military forces specified in the schedule annexed hereto, and herein-after referred to as the purposes of this Act, and we have resolved that the said sum of three million five hundred thousand pounds shall be provided in manner herein-after mentioned; and we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Military Forces Localization Act, 1872." Short title.

Land and Works.

Secretary of State for the War Department may carry into effect the purposes of the Act.

2. The Secretary of State for the War Department may forthwith proceed to carry into effect the purposes of this Act, and with a view to carrying the same into effect may acquire such lands and execute such works as he may deem expedient; and all lands acquired for the purposes of this Act shall vest in the said Secretary of State on behalf of Her Majesty.

Incorporation of Lands Clauses Consolidation Acts, 1845, 1860, and 1869.

3. With a view to the purchase of lands for the purposes of this Act, the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, in this Act referred to as "The Lands Clauses Consolidation Acts," shall be incorporated with this Act, with the exceptions and additions and subject to the provisions following; (that is to say,)

(1.) There shall not be incorporated with this Act the sections and provisions of the "Lands Clauses Consolidation Act, 1845," herein-after mentioned; (that is to say,) section sixteen, whereby it is provided that the capital is to be subscribed before the compulsory powers are to be put in force; section seventeen, whereby it is provided that the certificate of the justices shall be evidence that the capital has been subscribed; or the provisions relating to affording access to the special Act; and,

(2.) In the construction of this Act and the said incorporated Acts this Act shall be deemed to be "the special Act," and the said Secretary of State shall be deemed to be "the promoters of the undertaking;" and

(3.) The bond required by section eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the seal of the Secretary of State, and shall be sufficient without the addition of the sureties in the said section mentioned.

(4.) The words "lands" shall in this Act and the said incorporated Acts include any easement in lands.

(5.) When compensation has been paid to any person in respect of any estate or interest in lands taken under this Act, such lands shall vest in the said Secretary of State for all the estate and interest of such person, including any estate or interest therein held in trust by such person or capable of being conveyed by him in pursuance of any power. Nevertheless the said Secretary of State may require such person to execute any conveyance which he might have been required to execute if this Act had not passed, and nothing in this section contained shall in any manner invalidate such conveyance when executed.

(6.) The said Secretary of State shall not put in force the provisions of the said incorporated Acts, with respect

to the purchase of land compulsorily, until he has obtained the sanction of Parliament in manner in this Act mentioned.

Mode of obtaining sanction of Parliament for compulsory powers.

4. One month at the least before making any application to Parliament for their sanction to the compulsory purchase of land under this Act the said Secretary of State shall serve, in manner provided by the said Lands Clauses Consolidation Acts, a notice on every owner or reputed owner, lessee or reputed lessee, and occupier of any land intended to be so purchased, describing the land intended to be taken, and in general terms the purposes to which it is to be applied, and stating the intention of the said Secretary of State to obtain the sanction of Parliament to the purchase thereof, and inquiring whether the person so served assents or dissents to the taking of his land, and requesting him to forward to the Secretary of State any objections he may have to his land being taken. The said Secretary of State shall also, at some time after the service of such notice, make a local inquiry by a competent officer into the objections made by any persons whose land is required to be taken, and by other persons, if any, interested in the subject matter of such inquiry; but if after such inquiry has been made the said Secretary of State is satisfied that the land ought to be taken, he may submit a bill to Parliament containing provisions authorising him to take such land, and such bill shall be deemed to be a public bill, and, if passed into an Act, to have conveyed to the said Secretary of State the sanction of Parliament to purchase the land therein mentioned or referred to.

Expenses of Act.

Issue of money out of Consolidated Fund for expenses of Act.

5. The Treasury shall from time to time issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing produce thereof, such sums, not exceeding in the whole the said sum of three million five hundred thousand pounds, as may be required by the said Secretary of State for carrying into effect the purposes of this Act according to estimates to be approved by the Treasury.

Restrictions on applications of money issued.

6. In applying any moneys so issued as aforesaid to defray the expenses incurred in pursuance of this Act, regard shall be had to the several heads of expenditure set forth in the schedule hereto, and no greater sum shall be applied to the expenditure under any one of such heads than the estimated sum, except under a joint certificate of the said Secretary of State and the Treasury certifying that the excess so expended under any one head is compensated by a deficiency of expenditure under some other head, and that the total sum to be expended under this Act in carrying into effect all the provisions thereof will not exceed the said sum of three million five hundred thousand pounds.

Repayment to Consolidated Fund of money issued therefrom.

7. The Treasury may from time to time, as they think fit, repay to the Consolidated Fund all or any portion of the moneys issued thereout for the purposes of this Act, and may, with a view to provide moneys for such repayment, raise any sum not exceeding three million five hundred thousand pounds, or any portion thereof, by the creation of annuities for any term not exceeding thirty years, which annuities shall be charged upon the said Consolidated Fund or the growing produce thereof, or by the issue of Exchequer bonds or bills, as provided by the Act of the twenty-ninth year of the reign of Her present Majesty, chapter twenty-five, intituled "An Act "to regulate and amend the several laws regulating the pre- "paration, issue, and payment of Exchequer bills and bonds," or by either of such means.

Commissioners for Reduction of National Debt may advance money on security of terminable annuities, &c.

8. The Commissioners for the Reduction of the National Debt may from time to time invest any moneys in their hands on account of savings banks and Post Office savings banks in the purchase of any of the securities created under the authority of this Act.

If such investment be made in terminable annuities, the amount of annuity to be created in respect thereof shall be certified to the Treasury under the hands of the Comptroller General or Assistant Comptroller, and of the Actuary of the National Debt Office, acting under the said Commissioners for the Reduction of the National Debt.

The annuities so created shall be inscribed in the books of the Governor and Company of the Bank of England, and be payable to the said Commissioners out of the Consolidated Fund, or the growing produce thereof, at such times in each year as may from time to time be fixed by the Treasury.

The warrants of the Treasury issued under the authority of this Act shall be a sufficient authority to the Governor and Company of the Bank of England for doing the things thereby directed to be done for the purposes of this Act, and copies of such warrants shall be laid before both Houses of Parliament, if Parliament is then sitting, within ten days after the respective dates thereof, and, if not sitting, within ten days after the next meeting of Parliament.

Accounts.

Preparation and audit of accounts of expenditure under this Act.

9. The said Secretary of State shall, in every year in which any part of the said sum of three million five hundred thousand pounds is expended for the purposes of this Act, cause to be prepared and made up an account in such form as may be required by the Treasury showing as follows:

(1.) The money expended during the preceding year in pursuance of this Act, the mode in which such money was provided, and the securities (if any) created for providing the same; and

(2.) The purposes on which such moneys were expended under the heads set forth in the schedule hereto; and

(3.) The aggregate amount of money expended since the passing of this Act on the purposes thereof, and the aggregate amount of securities (if any) created for the purpose of providing for the same; and

(4.) The balance (if any) of three million five hundred thousand pounds remaining to be expended in pursuance of this Act.

The accounts of expenditure under this Act shall be audited by the Comptroller and Auditor General as appropriation accounts in manner directed by the Exchequer and Audit Departments Act, 1866.

Power for Counties and Boroughs to transfer Land.

Power for counties and boroughs to transfer buildings or land to Secretary of State.

10. The Commissioners of Lieutenancy of the city of London, the justices of any county, riding, division, or liberty of a county (in this section included under the term county), and the council of any municipal borough, may transfer to the said Secretary of State, for the purposes of this Act, upon such terms and with or without payment of a pecuniary consideration as they think expedient, any barracks, storehouses for arms or ammunition, or other buildings or land held in the case of a county for the public uses or purposes of such county, and in the case of a borough for the public uses or purposes of such borough; and any contracts, grants, or conveyances by or on behalf of the justices of a county may be made in manner provided by the County Property Acts, 1858, 1871.

Supplemental Provisions.

Lands to continue subject to land tax and rates.

11. All lands acquired by the said Secretary of State in pursuance of this Act, which were at the time of such acquisition subject to land tax, to poor or other rates, shall continue liable thereto.

Exemption of documents from stamp duty.

12. All contracts, conveyances, and other documents made in pursuance of or with a view to carrying into effect the purposes of this Act shall be exempted from stamp duty.

Saving of existing powers of Secretary of State.

13. Nothing in this Act contained shall affect the right of the said Secretary of State to exercise, with a view to carrying into effect all or any of the purposes of this Act, any powers of acquiring land or other powers vested in him by any Act passed previously to this Act.

Proviso as to application of Act to Ireland.

14. In the application of this Act to Ireland it is provided as follows:

(1.) The term "The Lands Clauses Consolidation Acts" shall mean "The Lands Clauses Consolidation Act, 1845,"

as the same is amended by "The Railways Act (Ireland), 1851," "The Railways Act (Ireland), 1860," "The Railways Act (Ireland), 1864," and "The Railway and Traverse Act;" and the term "Company" in the said Acts shall be construed to mean the said Secretary of State:

(2.) Justices in section ten shall mean the grand jury of any county, county of a city, or town, and any contracts, grants, or conveyances, by or on behalf of any such grand jury, may be made by the foreman and any three members of such grand jury duly authorised thereunto by a presentment of such grand jury.

Proviso as to application of Act to Scotland.

15. In the application of this Act to Scotland it is provided as follows:

(1.) With a view to the purchase of lands in Scotland for the purposes of this Act, "The Lands Clauses Consolidation (Scotland), Act, 1845," (except sections fifteen and sixteen thereof,) and any Acts amending the same, shall be incorporated with this Act:

(2.) The bond required by section eighty-four of "The Lands Clauses Consolidation (Scotland) Act, 1845," shall be under the seal of the Secretary of State, and shall be sufficient without the addition of the securities in the said section mentioned:

(3.) The term "the said incorporated Acts" and the term "the said Lands Clauses Consolidation Acts" shall each of them include "The Lands Clauses Consolidation (Scotland) Act, 1845:"

(4.) "Easement in lands" shall mean servitude:

(5.) "Justices" in clause ten shall mean the commissioners of supply:

(6.) "Municipal borough" shall mean any royal burgh and any burgh returning or contributing to return a member to Parliament.

Definitions.

16. In this Act—

"The Treasury" means the Commissioners of Her Majesty's Treasury, or any two or more of them:

"The Secretary of State for the War Department" means Her Majesty's Principal Secretary of State for the time being to whom Her Majesty may think fit to entrust the seals of the War Department; or such one of Her Majesty's Principal Secretaries of State as may for the time being be administering the business of the War Department.

SCHEDULE referred to in this Act.

HEADS OF PROPOSED EXPENDITURE.

	£	£
1. Provision of depôt centres - -	1,297,200	1,627,200
Provision of depôt storehouses - -	330,000	
2. Training barracks for militia (also available for regular troops) - -	255,680	1,010,480
Barrack accommodation, to replace accommodation taken for depôt centres -	754,800	
3. District store establishments - - - -		100,000
4. Purchase of land, &c. :—		
At depôt centres - - -	204,000	554,000
For a metropolitan exercising ground	50,000	
For a tactical training station -	300,000	
5. Contingent expenses - - - - -		208,320
Total - -		£3,500,000

CHAPTER 69.

An Act for constituting a Local Government Board in Ireland, and vesting therein certain functions of the Lord Lieutenant, the Privy Council, and the Chief Secretary to the Lord Lieutenant, concerning the Public Health and Local Government, together with the powers and duties of the Commissioners for administering the Laws for the Relief of the Poor in Ireland. [10th August 1872.]

WHEREAS it is expedient to concentrate in one department, as herein-after provided, the supervision of the laws relating to the public health, local government, and the relief of the poor in Ireland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The Local Government Board (Ireland) Act, 1872." Short title.

Establishment of Local Government Board.

2. A Board shall be established, to be called the Local Government Board for Ireland (in this Act referred to as "The Local Government Board"), and from and after the establishment of such Board the Poor Law Commission shall Establishment of Local Government Board for Ireland.

cease to exist, and all powers and duties vested in or imposed on the Commissioners for administering the Laws for Relief of the Poor in Ireland by the several Acts of Parliament relating to the relief of the poor and any other Acts, or vested in or imposed on the Lord Lieutenant, the Privy Council, or on the chief secretary to the Lord Lieutenant by the enactments mentioned in the schedule annexed hereto, shall be transferred to and imposed on the said Local Government Board, and, except as otherwise provided by this Act, shall be exercised and performed by such Board in like manner and form, and subject to the same conditions, liabilities, and incidents respectively, as such powers and duties might before the passing of this Act have been exercised and performed by the authorities in whom the same were then vested respectively, or as near thereto as circumstances admit.

Constitution of Local Government Board.

3. The Local Government Board shall consist of a president, being the chief secretary to the Lord Lieutenant for the time being, the under secretary to the Lord Lieutenant for the time being, together with a vice-president and two other commissioners, one of whom shall be qualified in like manner as the medical commissioner under the Medical Charities Act, to be appointed by Her Majesty, and to hold office during the pleasure of Her Majesty.

The Local Government Board shall be deemed to be established from and after the date of the first appointment of a vice-president under this Act.

The Local Government Board may appoint in writing such inspectors, auditors, clerks, messengers, and other officers as the Board may, with the sanction of the Treasury, determine.

There shall be paid out of moneys provided by Parliament to the vice-president, the other commissioners, and the officers of the Board such salaries as the Treasury may from time to time determine: Provided that the appointment of any officer to a new office made by the Local Government Board in pursuance of this section shall be deemed to be temporary only until the salary of such office has been provided for by Parliament.

Seal, style, and acts of Board.

4. The Local Government Board may adopt an official seal, and describe themselves generally by the style and title of "The Local Government Board for Ireland," and, save as herein-after provided, any act to be done or instrument to be executed by or on behalf of the Local Government Board may be done or executed in the name of that Board by the president, or by the under secretary to the Lord Lieutenant, or by the vice-president, or by the two other members of the Local Government Board, both executing.

A rule, order, or regulation made by the Local Government Board shall be valid if it is made under the seal of the Board, and signed by the president, or by the under secretary to the

Lord Lieutenant, or by the vice-president, or by the two other members of the Board, both signing; and the production of such primâ facie evidence of any of the said rules, orders, or regulations shall, until the contrary is shown, be a sufficient proof that any such rule, order, or regulation of the Local Government Board was duly made.

Construction of Acts and documents, and power of Local Government Board.

5. In the construction of and for the purposes of any Act of Parliament, contract, or other document passed, entered into, or made before the establishment of the Local Government Board, but so far only as may be necessary for exercising the powers and discharging the duties by this Act transferred to and imposed on the Local Government Board, the name of such Board shall, according to circumstances, be deemed to be substituted for the Commissioners for administering the Laws for Relief of the Poor in Ireland, or the Lord Lieutenant, or Privy Council, or the chief secretary to the Lord Lieutenant, as the case may require; and any act or thing which might, if this Act had not passed, have been done by the Commissioners for administering the Laws for Relief of the Poor in Ireland, or the Lord Lieutenant, or the Privy Council, or the chief secretary to the Lord Lieutenant, so far as relates to the powers and duties hereby transferred, may be done by the Local Government Board.

Auditors.

6. From and after the passing of this Act, any auditor of poor law unions in Ireland who shall be appointed to audit the accounts of other public bodies, in addition to the accounts of the boards of guardians of unions, shall not receive for that duty remuneration beyond the amount of his yearly salary, any enactment to the contrary notwithstanding, and every such enactment is hereby repealed; and the number of such auditors and the amount of their salaries shall be such as the Local Government Board shall determine from time to time, with the approval of the Lords Commissioners of Her Majesty's Treasury: Provided always, that the Local Government Board shall from time to time ascertain and determine what proportion of the salaries paid to the said auditors should be charged in respect of the audit of the accounts of such public bodies respectively, and the amount so ascertained in respect of each such body shall be payable by such body, and shall be paid accordingly to such bank or to such person as the said Commissioners of Her Majesty's Treasury may direct.

Annual Report.

7. The Local Government Board shall once at least in every year make a report to the Lord Lieutenant concerning the execution of the several powers and duties hereby vested in the said Board.

Extension of powers given by s. 6. of

8. The powers granted by the sixth section of "The Local Government (Ireland) Act, 1871," may be exercised in any

34 & 35 Vict. c. 109. to cases in which governing bodies incur expenses for permanent works, &c.

case where the governing body of any town exercising the borrowing powers of the special Act has contributed to, purchased, or executed any permanent works, or proposes to contribute to, purchase, or execute such works at a cost not exceeding or estimated not to exceed twice the net annual value of the premises assessable within the town in respect of which the money for such works may be borrowed.

Amendment of Sanitary Act, 1866.

9. The sewer authority of any district not being guardians of the poor shall defray all expenses incurred by such sewer authority in carrying into effect the provisions of section thirty-seven of "The Sanitary Act, 1866," out of the funds and in the manner prescribed by section fifty-eight of the said Act, as if the same were expenses incurred in carrying the Nuisance Removal Acts into effect.

As to powers conferred by 34 & 35 Vict. c. 109. respecting markets and fairs.

10. In addition to the powers conferred by "The Local Government (Ireland) Act, 1871," with regard to markets and fairs, be it enacted, that the governing body of any town, being the owners of any fair held therein, shall, with the consent of two thirds of the members of such governing body, and with the consent of the Local Government Board, and that any person being the owner of any fair held therein shall, with the consent of the Local Government Board, have power to alter and fix from time to time the days for holding such fairs. A notice of such alteration and fixing shall be published by such governing body or person in the Dublin Gazette and in some one newspaper circulated in such town, and thereupon such fair shall be held only on the day or days mentioned in such notice, and it shall be lawful for such governing body or person to take all such toll or tolls, and to do all such act or acts, and to enjoy all and the same rights, powers, and privileges in respect thereof, and to enforce the same by all and the like remedies, as if the same were held on the day or days upon which it was used to be held previous to the publication of such notice.

Amendment of sect. 124. of 3 & 4 Vict. c. 108.

11. Whereas the provisions of section one hundred and twenty-four of the Act of the third and fourth years of Victoria, chapter one hundred and eight, relating to the lighting of the boroughs therein referred to, do not apply to any of such boroughs in which there is a local Act for lighting thereof, by reason whereof much inconvenience arises, for remedy thereof be it enacted that it shall be lawful for the council of any such borough, in which there is a local Act for the lighting thereof to make an order that from and after a day named therein the provisions of the said local Act relating to the lighting of such borough shall cease to be in force therein; and from and after such day there shall be in force in lieu thereof within such borough the provisions of the said section one hundred and twenty-four of the said Act of

the third and fourth years of Victoria, chapter one hundred and eight, as the same are amended by any Act or Acts.

12. From and after the passing of this Act, section thirty-one of the Local Government (Ireland) Act, 1871, and all parts of Acts which relate to the election of auditors and to the audit of accounts by such auditors in any town to which the provisions of the Local Government (Ireland) Act, 1871, relating to the audit of accounts, apply, shall be and the same are hereby repealed. Sect. 31. of 34 & 35 Vict. c. 109. repealed.

SCHEDULE referred to in the foregoing Act.

Subject.	Act.
Towns Improvement - - - -	17 & 18 Vict. c. 103.
Sanitary Act, 1866 - - - -	29 & 30 Vict. c. 90.
Sewage Utilization Act, 1865 (as applied to Ireland) - - - - -	28 & 29 Vict. c. 75.
Nuisances Removal Act, 1855 (as applied to Ireland) - - - -	18 & 19 Vict. c. 121.
Diseases Prevention Act, 1855 (as applied to Ireland) - - - -	18 & 19 Vict. c. 116.
Nuisances Removal and Diseases Prevention Amendment, 1860 (as applied to Ireland)	23 & 24 Vict. c. 77.
Local Government (Ireland) - -	34 & 35 Vict. c. 109.
Sanitary Act Amendment, 1868 (as applied to Ireland) - - - -	31 & 32 Vict. c. 115.
Sanitary Loans Act, 1869 (as applied to Ireland) - - - - -	32 & 33 Vict. c. 115.
Common Lodging House Act, 1860 - -	23 Vict. c. 26.
Burial Grounds - - - -	19 & 20 Vict. c. 98.
Burial Grounds Amendment Act - -	23 & 24 Vict. c. 76.

CHAPTER 70.

An Act to make better Provision respecting certain Fees payable to the Law Officers of the Crown for England. [10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. All fees payable to or to the credit of any law officer or his clerk in pursuance of the Patent Law Amendment Act, 1852, and the Acts amending the same, or on account of any letters patent for new inventions, or any gift, grant, or writing under the Great Seal, or any warrant for the same, or on account of any business in respect of which a salary is for the Certain fees payable to law officer to be paid as Treasury may direct and carried to the Consolidated Fund.

time being paid to such law officer out of moneys provided by Parliament, shall be paid to such person and in such manner as the Commissioners of Her Majesty's Treasury may from time to time direct, and shall be carried to the Consolidated Fund.

Meaning of "law officer."

2. The term "law officer" in this Act means Her Majesty's Attorney General and Solicitor General for England; but this Act shall not apply to the person who is Attorney General at the time of the passing of this Act.

Short title.

3. This Act may be cited as the "Law Officers Fees Act, 1872."

CHAPTER 71.

An Act to authorise advances to the Public Works Loan Commissioners for enabling them to make Loans to School Boards in pursuance of the Elementary Education Act, 1870.

[10th August 1872.]

33 & 34 Vict. c. 75. s. 57.

WHEREAS by the fifty-seventh section of the Elementary Education Act, 1870, it is provided that where a school board incur any expenses in providing or enlarging a school house they may with the consent of the Education Department spread the payment over several years, not exceeding fifty, and may for that purpose borrow money on the security of the school fund and local rate, and may charge that fund and the local rate with the payment of the principal and interest due in respect of the loan;

And it is by the same section further provided that the Public Works Loan Commissioners may, on the recommendation of the Education Department, lend any money required under the said fifty-seventh section on the security of the school fund and local rate without requiring any further or other security, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three and a half per centum per annum:

And whereas it is expedient to make advances of money out of the Consolidated Fund, for the purposes of loans to school boards under the said section of the Elementary Education Act, 1870 (which loans are in this Act referred to as school loans):

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited for all purposes as the "Public Works Loan Commissioners Act, 1872."

Power to issue 1,000,000*l.* out of the Consolidated Fund for school loans.

2. For the purposes of school loans the Commissioners of Her Majesty's Treasury may from time to time cause to be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, any sums of money not exceeding in the whole one million pounds sterling.

Moneys so issued to be applied exclusively to school loans.

3. All moneys issued out of the Consolidated Fund, in pursuance of this Act, shall be placed to the account at the Bank of England of the Commissioners for the Reduction of the National Debt, and shall be at the disposal of the Public Works Loan Commissioners, to be applied by them exclusively to the purposes of school loans, and all enactments contained in any Act of Parliament for the time being in force for the regulation of the Public Works Loan Commissioners, or the moneys at their disposal or their securities, and the proceedings thereon, shall, so far as such enactments are consistent with the provisions of this Act, apply to the moneys issued out of the Consolidated Fund in pursuance of this Act.

Power to raise money for issues, or to replace issues out of the Consolidated Fund.

4. For the purpose of raising money to meet any sum to be issued out of the Consolidated Fund in pursuance of this Act, or to replace any sum which has been so issued or any portion thereof, the Commissioners of Her Majesty's Treasury may, from time to time, as they think fit, raise any sum or sums not exceeding in the whole one million pounds, by the creation of annuities for any term not exceeding thirty years, or by the issue of Exchequer bonds or bills, or by all such means, and the sums so raised shall be placed to the credit of the account of Her Majesty's Exchequer, and form part of the Consolidated Fund.

Provided that the amount raised in pursuance of this section in any one year, ending on the thirty-first day of March, shall not exceed the total amount of the sums issued out of the Consolidated Fund in pursuance of this Act during that year.

Commissioners for Reduction of National Debt may advance money on securities created under this Act.

5. The Commissioners for the Reduction of the National Debt may from time to time invest any moneys in their hands available for investment in Government securities in the purchase of any of the securities created under the authority of this Act.

If such investment be made in terminable annuities, the amount of annuity to be created in respect thereof shall be certified to the Commissioners of Her Majesty's Treasury under the hands of the Comptroller General or Assistant Comptroller, and of the Actuary of the National Debt Office, acting under the Commissioners for the Reduction of the National Debt.

The annuities so created shall be inscribed in the books of the Governor and Company of the Bank of England, and be payable to the Commissioners for the Reduction of the National

Debt out of the Consolidated Fund, or the growing produce thereof, at such times in each year as may from time to time be fixed by the Commissioners of Her Majesty's Treasury.

The warrants of the Commissioners of Her Majesty's Treasury issued under the authority of this Act shall be a sufficient authority to the Governor and Company of the Bank of England for doing the things thereby directed to be done for the purposes of this Act, and copies of such warrants shall be laid before both Houses of Parliament, if Parliament is then sitting, within one month of the respective dates thereof, and, if not sitting, within ten days after the next meeting of Parliament.

CHAPTER 72.

An Act to confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the Relief of Turnpike Trusts. [10th August 1872.]

14 & 15 Vict. c. 38.

WHEREAS by an Act of the fifteenth year of Her Majesty, chapter thirty-eight, "to facilitate arrangements for the "relief of turnpike trusts, and to make certain provisions "respecting exemptions from tolls," herein-after referred to as the principal Act, power is given to one of Her Majesty's Principal Secretaries of State to make provisional orders for reducing the rate of interest and for extinguishing the arrears of interest on mortgage debts charged or secured on the revenues of turnpike roads, in cases where such revenues are insufficient for the payment in full of the interest charged thereon:

24 & 25 Vict. c. 46.

And whereas by the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter forty-six, the principal Act is extended to turnpike roads, the Acts relating to which are continued by any annual Turnpike Acts Continuance Act, although their revenues are not insufficient for such payments as aforesaid:

And whereas, in pursuance of the principal Act, and the said Act extending the same, the Provisional Order referred to in the schedule annexed hereto has been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said schedule the date of such order, and such particulars relating thereto as are therein specified:

And whereas it is expedient that the said Provisional Order should be confirmed and made absolute:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Provisional Order, the date of which is set forth in the first column of the said schedule, is hereby confirmed, and the provisions thereof shall be of the like force and effect as if it had been expressly enacted by Parliament. Provisional Order confirmed.

2. This Act may be cited for all purposes as "The Turnpike Trusts Arrangements Act, 1872." Short title.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the under-mentioned Rate per Annum.	Date from which reduced Rate of Interest to commence.
		£ s. d.		
1872. 24 June.	4 Vict. c. xxxv., "An Act for "more effectually repair- "ing and improving the "road from Market Har- "borough in the county "of Leicester to Brampton "in the county of Hunt- "ingdon," amended by the 5 Vict. c. 69.	12,692 0 0	2*l.* per Cent.	6 April 1872.

CHAPTER 73.

An Act to amend the Merchant Shipping Acts and the Passenger Acts. [10th August 1872.]

WHEREAS it is expedient to amend the Merchant Shipping Acts and the Passengers Acts:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as the Merchant Shipping Act, 1872. Short title.

2. This Act shall come into operation on the first day of January one thousand eight hundred and seventy-three. Commencement of Act.

Measurement of Ships.

Transfer to Board of Trade of duties of Commissioners of Customs with respect to measurement of ships.

3. The twenty-third, twenty-seventh, twenty-eighth, and twenty-ninth sections of the Merchant Shipping Act, 1854, the fourteenth section of the Merchant Shipping Act Amendment Act, 1855, and the fourth section of the Merchant Shipping Act, 1871, shall be read and construed as if the Board of Trade were therein named instead of the Commissioners of Customs.

Registry.

Transfer to Registrar General of Seamen of duties of Commissioners of Customs with respect to registry of ships.

4. The forty-sixth, fifty-fourth, ninety-second, and ninety-fourth sections of the Merchant Shipping Act, 1854, shall be read and construed as if the Registrar General of Seamen were therein named instead of the Commissioners of Customs, and the returns required to be transmitted by the said ninety-fourth section of the Merchant Shipping Act, 1854, shall be transmitted to the Registrar General of Seamen, and not to the Custom House in London, and the Registrar General of Seamen shall be called the Registrar General of Shipping and Seamen.

Passenger Ships.

Transfer to Board of Trade of powers and duties of Emigration Commissioners.

5. The sixth and seventh sections of the Passengers Act, 1855, except so much of the latter section as provides for the immunity of emigration officers, shall be repealed, and all powers and duties vested in or imposed on the Emigration Commissioners by the Passengers Act, 1855, and the Passengers Act Amendment Act, 1863, shall be transferred to and imposed on the Board of Trade.

In the construction and for the purposes of the said Acts, the name of the Board of Trade shall be deemed to be substituted for the name of the Emigration Commissioners, and anything which might, if this Act had not passed, have been done by the Emigration Commissioners, whether acting independently or under the sanction or authority of one of Her Majesty's Principal Secretaries of State, may be done by the Board of Trade independently of such sanction or authority.

Extension of penalties for offences connected with applications for assistance in emigration.

6. The provisions contained in the eighty-third section of the Passengers Act, 1855, shall extend to any forms of application or other papers issued by or under the authority of one of Her Majesty's Principal Secretaries of State, for the use of persons desirous of emigrating by his assistance, and to any certificate, document, or statement adduced in support of any application to such secretary for such assistance.

Transfer to Board of Trade of powers of Secretary of State under Passengers Act.

7. The powers conferred by the thirteenth section of the Passengers Act Amendment Act, 1863, on one of Her Majesty's Principal Secretaries of State, shall be transferred to the Board of Trade.

Annual Survey of Passenger Steamers.

Passenger steamers to be surveyed once in every year, according to 17 & 18 Vict. c. 104.

8. The three hundred and fourth section of the Merchant Shipping Act, 1854, shall be repealed, and every passenger steamer shall be surveyed once at the least in every year in the manner mentioned in the fourth part of that Act. The fees to be charged for certificates issued in respect of such survey shall not exceed for a yearly certificate twice the sum named in the table marked T. in the schedule to the said Act as chargeable for a six months certificate.

Pilotage.

Trinity House may modify rule as to pilotage rates.

9. Notwithstanding anything in the three hundred and fifty-eighth section of the Merchant Shipping Act, 1854, the Trinity House may, by byelaw made with the sanction of Her Majesty in Council, repeal or relax the provisions of that section within the whole or any part of their district so far as to allow any pilot or class of pilots under their jurisdiction to demand or receive and any master to offer or pay any rate less than the rate for the time being demandable by law.

Alteration of payments made to Trinity House Pilotage Fund by Cinque Port pilots.

10. Whereas in pursuance of the Pilotage Law Amendment Act, 1853, the several funds then belonging to the Cinque Ports pilots were merged into the common fund called the Trinity House Pilotage Fund, and by the same Act power was given to the Trinity House of Deptford Strond, with the approval of the Board of Trade, from time to time to make regulations for altering and determining the payments and contributions to be made to the said pilotage fund by Cinque Ports pilots licensed before the said Act came into operation: And whereas by one of the regulations made under the authority of the said Act it was provided that each of the said Cinque Ports pilots should pay towards the said fund eleven shillings for each turn: And whereas it has proved that the turns have been more numerous than was expected, and that the sums paid to the Trinity House, and carried to the credit of the said fund, in respect of the said turns have been larger than was assumed in making the calculations upon which the said regulation was based: And whereas it is expedient that in lieu of the said sum of eleven shillings per turn the fixed annual sum of thirteen pounds four shillings should for the future be paid by or in respect of each of the said pilots so long as he remains unsuperannuated, and that the excess of the sum heretofore paid in each year by each pilot over the sum of thirteen pounds four shillings should be returned: And whereas doubts have been entertained whether the purposes aforesaid can be effected without the authority of Parliament: Be it enacted, that the Trinity House of Deptford Strond shall, out of the Trinity House Pilotage Fund, repay to each of the Cinque Ports pilots licensed before the Pilotage Law Amend-

ment Act, 1853, came into operation, or if he be deceased, to his executors or administrators, the aggregate sum by which the sum of eleven shillings per turn heretofore paid by him exceeds the sum which he would have paid if he had paid thirteen pounds four shillings per annum; and that each of the said pilots shall, while he continues to act as a pilot, pay to the said Trinity House the sum of eleven shillings per turn as heretofore, from the first day of January in each year, until the sums contributed in the same year amount to an aggregate sum equal to the product of thirteen pounds four shillings multiplied by the number of pilots licensed as above who are then surviving and unsuperannuated, and that when such aggregate sum is made up no further contributions shall be required from the said pilots until after the thirty-first day of December in the same year; and if the said contributions during any one year fall short of the said aggregate sum, the said pilots then surviving and unsuperannuated shall, at such time and in such manner as the Trinity House may direct, make good such deficiency by payment of an additional contribution per man, to be calculated pro ratâ upon the number of turns which each may have carried during the said year, and any such pilot failing to pay such additional contribution shall, in default of such payment, become liable to immediate removal from active service and superannuation upon such proportion of the full pension payable to such pilot as the Trinity House may see fit.

Pilotage authority may grant special sea licenses.

11. Any pilotage authority may, if authorised in that behalf by Order in Council, grant special licenses qualifying the persons to whom they are granted to act as pilots for any part of the sea or channels beyond the limits of any pilotage authority, so, however, that no pilot so licensed be entitled to supersede an unlicensed pilot outside the limits of the authority by which he is licensed.

Chain Cables.

Fees and expenses in relation to testing of chain cables and anchors by Trinity House to be paid to and charged on mercantile marine fund.

12. In the event of a license for the testing of chain cables and anchors being granted to the Trinity House under the Chain Cable and Anchor Act, 1871, all fees and other sums received by the Trinity House in respect of such testing shall be carried to the mercantile marine fund, and all expenses incurred by the Trinity House in respect of such testing shall be chargeable on the mercantile marine fund.

General.

Duties of surveyors.

13. All duties in relation to the survey and measurement of ships under this Act or the Acts amended hereby shall be performed by the surveyors appointed under the fourth part of the Merchant Shipping Act, 1854, in accordance with such

regulations as may be from time to time made by the Board of Trade.

Fees and salaries of surveyors and emigration officers.

14. All fees payable in respect of the survey or measurement of ships under this Act or the Acts amended hereby, or in respect of any services performed by any person employed under the authority of the Passengers Act, 1855, shall be paid to the superintendent of a mercantile marine office at such times and in such manner as the Board of Trade may from time to time direct, and shall be carried to the mercantile marine fund; and the salaries of surveyors, and other expenses connected with the survey and measurement of ships under this Act or the Acts amended hereby, and also so much of the salaries and expenses of persons employed under the authority of the Passengers Act, 1855, as has heretofore been paid by fees, shall be paid out of the mercantile marine fund.

Penalty on surveyor, &c. receiving gratuity, &c. for duties performed under this Act.

15. If any surveyor, or any person employed under the authority of the Passengers Act, 1855, demands or receives directly or indirectly, otherwise than by the direction of the Board of Trade, any fee, remuneration, or gratuity whatever in respect of any of the duties performed by him under this Act or the Acts amended hereby, he shall for every such offence incur a penalty not exceeding fifty pounds.

Owner or agent of home trade ships may enter into time agreements which need not expire half-yearly.

16. The owner of home trade ships or his agent may enter into time agreements, in forms to be sanctioned by the Board of Trade, with individual seamen to serve in any one or more ships belonging to him, which agreements need not expire on either the thirtieth day of June or the thirty-first day of December, anything in the Merchant Shipping Act to the contrary notwithstanding: Provided always, that a duplicate of each agreement entered into under the provisions of the section be forwarded to the Registrar General of Shipping within forty-eight hours after it has been entered into.

Her Majesty may accept offers of persons recommended by the Admiralty to serve as officers of the Royal Naval Reserve.

17. It shall be lawful for Her Majesty to accept from time to time the offers of any person whom the Lord High Admiral or the Commissioners for executing his office may recommend, to serve as officers of reserve in the Royal Navy, upon such terms and conditions as to Her Majesty may from time to time seem fit, and the "Officers of the Royal Naval Reserve Act, 1863," shall be read and construed as if this clause formed part of the said Act.

CHAPTER 74.

An Act to amend the Law for the prevention of Adulteration of Food and Drink and of Drugs.

[10th August 1872.]

WHEREAS the practice of adulterating articles of food and drink and drugs for sale, in fraud of Her Majesty's subjects, and to the great hurt of their health and danger to their lives, requires to be repressed by more effectual laws than those which are now in force for that purpose:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Penalty on persons adulterating articles of food or drink or drugs.

1. Every person who shall wilfully admix, and every person who shall order any other person or persons to admix with any article of food or drink any injurious or poisonous ingredient or material to adulterate the same for sale, and every person who shall wilfully admix, and every person who shall order any other person or persons to admix any ingredient or material with any drug to adulterate the same for sale, shall for the first offence forfeit and pay a penalty not exceeding fifty pounds, together with the costs attending such conviction, and for the second offence shall be guilty of a misdemeanor, and be imprisoned for a period not exceeding six calendar months, with hard labour.

Penalty on persons selling articles of food or drink or drugs which they know to have been adulterated.

2. Every person who shall sell any article of food or drink with which to the knowledge of such person any ingredient or material injurious to the health of persons eating or drinking such article has been mixed, and every person who shall sell as unadulterated any article of food or drink, or any drug which is adulterated, shall for every such offence on a summary conviction of the same before two justices of the peace at petty sessions in England, or before two justices of the peace in the justices of the peace court, or before the sheriff substitute of the county, or before any magistrate acting under any general or local Police Act in Scotland, or before justices at petty sessions or a divisional justice in Ireland, forfeit and pay a penalty not exceeding twenty pounds together with such costs attending such conviction as to the said justices, sheriff substitute, magistrate, or divisional justice shall seem reasonable; and if any person so convicted shall afterwards commit the like offence, such justices, sheriff substitute, magistrate, or divisional justice shall cause such offender's name, place of abode, and offence to be published at the expense of such offender in such newspaper or in such other manner as to the said justices shall seem desirable.

Vendor to declare mixture at time of sale.

3. Any person who shall sell any article of food or drink or any drug, knowing the same to have been mixed with any other substance with intent fraudulently to increase its weight or bulk, and who shall not declare such admixture to any purchaser thereof before delivering the same and no other, shall be deemed to have sold an adulterated article of food or drink or drug, as the case may be, under this Act.

Pharmacy Act, 1868, and 23 & 24 Vict. c. 84. incorporated with this Act. Proviso, 33 & 34 Vict. c. 26.

4. The Pharmacy Act, 1868, and the Act twenty-third and twenty-fourth Victoria, chapter eighty-four, for preventing the adulteration of articles of food and drink, shall be deemed to be incorporated in this Act: Provided alway, that in the application of this Act to Ireland the Act passed in the session of Parliament held in the thirty-third and thirty-fourth year of the reign of Her present Majesty, chapter twenty-six, intituled "An Act to regulate the sale of poisons in Ireland," shall be deemed to be incorporated in this Act instead of the Pharmacy Act, 1868.

Appointment of analysts.

5. In the city of London and the liberties thereof the commissioners of sewers of the city of London and the liberties thereof, and in all other parts of the metropolis the vestries and district boards acting in execution of the Act for the better local management of the metropolis, in England the court of quarter sessions of every county, and the town council of every borough having a separate court of quarter sessions, or having under any general or local Act of Parliament, or otherwise a separate police establishment, in Ireland the grand jury of every county, county of a city, and county of a town, and town council of every borough, and in Scotland the commissioners of supply at their ordinary meetings for counties, and the commissioners or boards of police, or, where there are no such commissioners or boards the town councils for boroughs, within their several jurisdictions, may, and when required so to do by the Local Government Board in England, or by one of Her Majesty's Principal Secretaries of State in Scotland, or by the Lord Lieutenant or other chief governor or governors in Ireland, shall, for their respective city, districts, counties, or boroughs, appoint and remove one or more persons possessing competent medical, chemical, and microscopical knowledge as analysts of all articles of food, drink, and drugs purchased within the said city, metropolitan districts, counties, or boroughs, and shall pay to such analysts such salary or allowances as they may think fit; but such appointments and removals shall at all times be subject in England to the approval of the Local Government Board, in Scotland of one of Her Majesty's Principal Secretaries of State, and in Ireland of the Lord Lieutenant or other chief governor or governors.

Inspectors of nuisances, &c. may submit

6. The inspector of nuisances or the inspector of weights and measures, or the inspector of markets, one or all of them,

articles to be analyzed.

as the local authority appointing them shall think fit to determine, in every district, county, city, or borough, shall procure and submit samples of articles of food or drink and drugs suspected to be adulterated to be analyzed by the analysts appointed under this Act, and shall, upon receiving a certificate stating that the articles of food or drink or drugs are adulterated, cause a complaint of an offence against this Act by the party selling or adulterating such articles of food or drink or drugs to be made before a justice of the peace, and thereupon such justice shall issue a summons requiring the seller or the adulterator to appear before two justices of the peace at petty sessions in England, or before two justices of the peace in the justice of the peace court, or before the sheriff substitute of the county, or before any magistrate acting under any general or local police Act in Scotland, or before justices of petty sessions or divisional justices in Ireland, to answer such complaint, and such summons shall be served by delivering the same, or a true copy thereof, upon the premises where such samples were obtained or sold, and the expense of such prosecutions, if not ordered to be paid by the party complained against, shall be deemed part of the expense of executing this Act.

Analysts to make reports quarterly to local authorities.

7. The analysts appointed under this Act shall report quarterly to the local authorities appointing them the number of articles of food, drink, or drugs analyzed by them under this Act during the foregoing quarter, and shall specify the nature and kind of adulterations detected in such articles of food, drink, and drugs, and all such reports shall be read at the meetings of the local authorities appointing such analysts.

Proof of identity of articles submitted to analysts.

8. On the hearing by the justices, sheriff substitute, magistrate, or divisional justice of any complaint under this Act in any district, county, city, or borough wherein analysts shall have been appointed under this Act, the purchaser, or inspector of nuisances, or the inspector of weights and measures, or the inspector of markets, as the case may be, shall prove to the satisfaction of such justices, sheriff substitute, magistrate, or divisional justice that the article of food or drink or drugs alleged to be adulterated was delivered to the analysts in the same condition as regards its purity or impurity as it was when received from the seller.

Purchaser of articles of food &c. may require same to be analyzed.

9. Any purchaser of any article of food or drink or drugs in any district, county, city, or borough where there is any analyst appointed under this Act shall be entitled on payment to the inspector or inspectors appointed under this Act of a sum not less than two shillings and sixpence nor more than ten shillings and sixpence, which shall be accounted for to the local authority appointing such inspector or inspectors, to have any such article analyzed by any analyst who may be appointed for such district, county, city, or borough, and to

receive from such analyst a certificate of the result of his analysis, specifying whether, in his opinion, such article is adulterated, and also whether, if it be an article of food or drink, it is so adulterated as to be injurious to the health of persons eating or drinking the same, and such certificate, duly signed by such analyst, shall, in the absence of any evidence before the court to the contrary, be sufficient evidence of the matters therein certified, and the sum so directed to be paid for such certificate shall be deemed part of the costs.

Articles of food, &c. ordered for analysis to be received, and samples retained by inspectors.

10. All articles of food, drink, or drugs to be analyzed by the analysts appointed under this Act shall be received by the inspectors appointed by the local authorities, and from all such articles of food, drink, or drugs samples shall be taken and sealed in the presence of the analysts by the inspectors, to be retained by them and produced in case the justices, sheriff substitute, magistrate, or divisional justice shall order other analyses to be made.

As to expenses of executing Act.

11. The expense of executing this Act shall be borne, in the city of London and the liberties thereof, out of the consolidated rates raised by the commissioners of sewers of the city of London and the liberties thereof, and in the rest of the metropolis out of any rates or funds applicable to the purposes of the Act for the better local management of the metropolis, and in counties out of the county rate, or out of the grand jury cess in Ireland, and in boroughs out of the borough fund, and in Scotland out of the police money in counties and boroughs respectively.

Proceedings by indictment, &c. not to be affected.

12. Nothing in this Act contained shall be held to affect the power of proceeding by indictment, or to take away any other remedy against any offender under this Act.

CHAPTER 75.

An Act to provide for the appointment of Commissioners in the Channel Islands, and also in the City of Dublin and its vicinity, to take Affidavits to be used in the Superior Courts of Common Law and other Courts in Ireland. [10th August 1872.]

WHEREAS it is expedient for the convenience of suitors and the administration of justice in the superior courts of common law in Ireland that there should be Commissioners in the Channel Islands, and also in the city of Dublin and the vicinity thereof, authorised to take affidavits to be used in the said courts in the same manner as Commissioners

for the superior courts of common law in England are authorised to take affidavits in the Channel Islands, and in the cities of London and Westminster and in its vicinity, but there is not now by law any power in any of the Irish courts of law to appoint such Commissioners, by reason of which inconvenience is sometimes occasioned to suitors in the last-mentioned courts:

For remedy thereof, be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Court of Queen's Bench in Ireland to appoint Commissioners for the Channel Islands.

1. From and after the passing of this Act it shall be lawful for the Court of Queen's Bench in Ireland to appoint a fit or proper person, or such and so many fit and proper persons as they may think fit, for taking affidavits in the Channel Islands, in the same manner as such Commissioners are now appointed by the said court for England and Wales; and any person so appointed shall be by virtue of the commission issued out of the said Court of Queen's Bench a Commissioner duly authorised to take affidavits in and for all the superior courts of common law in Dublin, with all the powers and privileges now by law belonging or hereafter to belong to Commissioners appointed to take affidavits for the said courts, or any of them, in the same manner to all intents and purposes as such powers and privileges belong to Commissioners appointed by the said Court of Queen's Bench for taking affidavits in England and Wales, or any districts therein.

Affidavits to be used in superior courts of common law in Ireland:

2. All affidavits duly made before any Commissioners so appointed may be used in any cause, motion, or matter depending in any of the superior courts of common law at Dublin, or in any proceeding in same, in the same manner as affidavits are now used which are sworn before a Commissioner appointed for England or Wales, or any district therein, subject to the rules and practice of the said courts respectively, and to such rules as may at any time be duly made in respect of same.

Also in Landed Estates Court, Court of Probate, and Court of Bankruptcy:

3. Any affidavit duly sworn before a Commissioner so appointed may be used in the Landed Estates Court, the Court of Probate, and the Court of Bankruptcy in Ireland, subject nevertheless to the rules and practice of each of said courts respectively, and to any rules that may hereafter be duly made in each of such courts respectively.

Also in registration of judgments.

4. Any affidavit so sworn may be used in registering a judgment of any of the superior courts of common law in Ireland as a mortgage against lands pursuant to the statutes in that case made and provided, subject nevertheless to the rules and practice of the court in which such judgment is or

shall be entered, and to any rules that may be thereafter duly made in reference to same.

Persons swearing falsely may be indicted for perjury in Dublin.

5. Any affidavit duly sworn before any Commissioner so as aforesaid appointed under this Act shall for all purposes of a prosecution for perjury be deemed to be sworn before a person duly authorised to take such affidavit and to administer an oath; and any person swearing falsely in any such affidavit shall be liable to the penalties of perjury, and may be indicted and tried for perjury in the same manner to all intents and purposes as he might be if such affidavit had been sworn in the county of the city of Dublin.

Power to Court of Queen's Bench in Ireland to appoint Commissioners to administer oaths within ten miles of Dublin.

6. The Court of Queen's Bench in Ireland may by their commission (in like manner as they now appoint commissioners of affidavits and special bail in the common law courts, Ireland,) appoint and empower as many persons as they shall think fit and necessary, such persons being attorneys of the said courts and practising and residing within ten miles of the Four Courts, Dublin, to be commissioners in and for the county of Dublin and the county of the city of Dublin, to administer oaths and take and receive all and every such affidavit and affidavits, declarations, or affirmations as any person or persons shall be willing or desirous to make before any person so empowered in or concerning any cause, matter, or thing depending or hereafter to be depending or anywise concerning any of the proceedings in the superior courts of common law in Ireland.

Style of Commissioners, with power to them to take fees, &c.

7. The persons so appointed or empowered shall be styled "Dublin Commissioners to administer oaths in common law," and they shall have within the district for which they are appointed the same powers and be entitled to the same fees as Commissioners appointed for any other part of Ireland, subject in all respects to such rules and regulations as the said courts, or any of them, may make in that behalf; and all affidavits, affirmations, or declarations made before any such Commissioner shall have in all respects and in all proceedings, civil and criminal, the same force and effect as if same had been made before an officer of one of the said courts duly authorised to take the same and to administer an oath.

Commissioners to have same powers as former Commissioners.

8. All the Commissioners appointed or empowered under this Act shall have and possess the like powers and authorities as are now vested in "Commissioners of affidavits and special bail in the common law courts, Ireland."

Affirmation to be equivalent to oath.

9. Any person making an affidavit before any Commissioner so as aforesaid appointed under this Act may, instead of an oath, make a solemn affirmation or declaration in all cases in

which he is now by law entitled to substitute such solemn affirmation or declaration for an oath; and for all the purposes of this Act, including a prosecution for perjury, such solemn affirmation or declaration shall be deemed to be the same as an oath.

CHAPTER 76.

An Act to consolidate and amend the Acts relating to the Regulation of Coal Mines and certain other Mines. [10th August 1872.]

WHEREAS it is expedient to consolidate and amend the law relating to the regulation and inspection of coal mines and certain other mines:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as "The Coal Mines Regulation Act, 1872."

Commencement of Act.

2. This Act, except as herein-after provided, shall not come into operation in England and Scotland until the first day of January one thousand eight hundred and seventy-three, and in Ireland until the first day of January one thousand eight hundred and seventy-four, which dates are in this Act respectively referred to as the commencement of this Act.

Application of Act.

3. This Act shall apply to mines of coal, mines of stratified ironstone, mines of shale, and mines of fire-clay.

PART I.

Employment of Women, Young Persons, and Children.

Employment of women and children in mines.

4. No boy under the age of ten years, and no woman or girl of any age, shall be employed in or allowed to be for the purpose of employment in any mine to which this Act applies below ground.

Employment of boys in mines.

5. A boy of the age of ten and under the age of twelve years shall not be employed in or allowed to be for the purpose of employment in any mine to which this Act applies below ground, except in a mine in which a Secretary of State,

by reason of the thinness of the seams of such mine, considers such employment necessary, and by order, published as he may think fit, for the time being allows the same, nor in such case

(*a.*) for more than six days in any one week; or,

(*b.*) if he is employed for more than three days in any one week for more than six hours in any one day; or,

(*c.*) in any other case for more than ten hours in any one day; or,

(*d.*) otherwise than in accordance with the regulations herein-after contained.

Hours of employment of boys and male young persons in mines.

6. A boy of the age of twelve and under the age of thirteen years, and a male young person under the age of sixteen years, shall not be employed in or allowed to be for the purpose of employment in any mine to which this Act applies below ground for more than fifty-four hours in any one week, or more than ten hours in any one day, or otherwise than in accordance with the regulations herein-after contained.

Regulations as to employment of boys and male young persons.

7. For the purpose of the provisions of this Act with respect to the employment of boys and male young persons in a mine below ground, the following regulations shall have effect; that is to say,

(1.) There shall be allowed an interval of not less than eight hours between the period of employment on Friday and the period of employment on the following Saturday, and in other cases of not less than twelve hours between each period of employment:

(2.) The period of each employment shall be deemed to begin at the time of leaving the surface, and to end at the time of returning to the surface:

(3.) A week shall be deemed to begin at midnight on Saturday night, and to end at midnight on the succeeding Saturday night.

Regulations as to education with respect to boys.

8. The following regulations shall have effect with respect to boys of the age of ten and under the age of twelve years employed in any mine to which this Act applies below ground:

(1.) Every such boy shall attend school for at least twenty hours in every two weeks during which he is so employed:

(2.) In computing for the purpose of this Act the time during which a boy has attended school, there shall not be included any time during which such boy has attended either,

(*a.*) in excess of three hours at any one time, or in excess of five hours on any one day, or in excess of twelve hours in any one week; or

(*b.*) on Sundays; or

(*c.*) before eight o'clock in the morning or after six o'clock in the evening:

Provided that the non-attendance of any boy at school shall be excused—

(1.) For any time during which he is certified by the principal teacher of the school to have been prevented from attendance by sickness or other unavoidable cause:

(2.) For any time during which the school is closed for the customary holidays, or for some other temporary cause; and

(3.) For any time during which there is no school which the boy can attend within two miles (measured according to the nearest road) from the residence of such boy or the mine in which he works.

The immediate employer of a boy in every mine to which this Act applies, who has employed such boy for any time amounting in the whole to not less than fourteen days, shall on Monday in every week during the employment of such boy obtain from the principal teacher of some school a certificate that the boy so employed has in manner required by this Act attended school during the preceding week, if attendance at school was so required during that week.

The certificate may be in such form as a Secretary of State may from time to time prescribe.

The immediate employer, where he is not the owner, agent, or manager of the mine, shall deliver such certificate to the owner, agent, or manager of the mine, and the owner, agent, or manager shall obtain the delivery of such certificate, and shall keep any certificate obtained or delivered in pursuance of this section for six months in the office at the mine, and shall produce the same to any inspector under this Act at all reasonable times when required by him during that period, and allow him to inspect and copy the same.

Every person who forges or counterfeits any certificate required by this section, or gives or signs any such certificate falsely, or wilfully makes use of any forged, counterfeit, or false certificate, shall be liable on conviction to imprisonment for a period not exceeding three months, with or without hard labour.

On application of teacher, employer to pay sum for schooling of boy and deduct it from wages.

9. The principal teacher of a school which is attended by any boy employed in a mine to which this Act applies, may apply in writing to the person who pays the wages of such boy to pay such sum as herein-after mentioned on account of any boy in respect of whom he may have duly granted a certificate in pursuance of this Act, and after the date of such application, such person, so long as he employs the boy, shall pay to the principal teacher of the said school, for every week that the boy attends that school, the weekly sum specified in the application, not exceeding twopence per week, and not exceeding one twelfth part of the wages of the boy, and may

deduct the sum so paid by him from the wages payable for the services of such boy.

Any person who after such application refuses to pay on demand any sum that may become due as aforesaid shall be liable to a penalty not exceeding ten shillings.

Inspector may disqualify for granting certificates any teacher who is unfit.

10. If an inspector under this Act is satisfied by inspection of a school or otherwise that the principal teacher of a school who grants certificates of school attendance required under this Act ought to be disqualified for granting such certificates for any of the following reasons; namely,

(1.) Because he is unfit to instruct children by reason either of his ignorance or neglect, or of his not having the necessary books and materials:

(2.) Because of his immoral conduct: or,

(3.) Because of his continued neglect to fill up proper certificates of school attendance:

in any such case he may serve on the teacher a written notice stating the reason for such disqualification. At the expiration of two weeks from the date of such notice the teacher shall, subject to the appeal herein-after mentioned, be disqualified for granting certificates.

The inspector shall, so far as he can, serve on every employer of a child who obtains certificates from such teacher a notice to the like effect as the notice served on the teacher, and also specifying a school which the child employed by such employer can attend within two miles (measured according to the nearest road) from the place of employment or the residence of the child.

Any teacher who is disqualified as aforesaid, and any employer who obtains certificates from him, may within three weeks after the service of the notice on the teacher, appeal therefrom to the Education Department, who may confirm or reverse such disqualification.

After a teacher is disqualified for granting certificates, no certificate given by him shall be deemed to be a certificate in compliance with this Act, unless in the case of there being no other school which the child employed in a mine can attend within two miles (measured according to the nearest road) from the mine or the residence of such child, or unless with the written consent of an inspector under this Act.

The inspectors under this Act shall in their reports to a Secretary of State report the name of every teacher disqualified under this section during the preceding twelve months, the name of the school at which he taught, and such last-mentioned report shall be communicated to the Committee of Council on Education.

Penalty for non-attendance of children at school.

11. The following regulation shall apply to every boy of ten and under twelve years of age, employed below ground in any mine to which this Act applies:

The parent, guardian, or person having the custody of or control over any such boy shall cause him to attend school in accordance with the regulations of this Act:

Every such parent, guardian, or person who wilfully fails to act in conformity with this section, shall be liable to a penalty of not more than twenty shillings for each offence.

As to employment of women, young persons, and children above ground in connexion with mines.

12. With respect to women, young persons, and children employed above ground, in connexion with any mine to which this Act applies, the following provisions shall have effect:

(1.) No child under the age of ten years shall be so employed:

(2.) The regulations of this Act with respect to boys of ten and under twelve years of age shall apply to every child so employed:

(3.) The regulations of this Act with respect to male young persons under sixteen years of age shall apply to every woman and young person so employed:

(4.) No woman, young person, or child shall be so employed between the hours of nine at night and five on the following morning, or on Sunday, or after two o'clock on Saturday afternoon:

(5.) Intervals for meals shall be allowed to every woman, young person, and child so employed, amounting in the whole to not less than half an hour during each period of employment which exceeds five hours, and to not less than one hour and a half during each period of employment which exceeds eight hours.

The provisions of this clause, as to the employment of women, young persons, and children after two o'clock on Saturday afternoon, shall not apply in the case of any mine in Ireland, so long as it is exempted in writing by a Secretary of State.

Register to be kept by owner, &c. of boys and male young persons employed in mines.

13. The owner, agent, or manager of every mine to which this Act applies, shall keep in the office at the mine a register, and shall cause to be entered in such register the name, age, residence, and date of first employment of all boys under the age of twelve years, and of the age of twelve and under the age of thirteen years, and of all male young persons under the age of sixteen years, who are employed in the mine below ground, and of all women, young persons, and children employed above ground in connexion with the mine, and a memorandum of the certificates of the school attendance of such boys obtained in pursuance of this Act, and shall produce such register to any inspector under this Act at the mine at all reasonable times when required by him, and allow him to inspect and copy the same.

The immediate employer of every boy or male young person of the ages aforesaid, other than the owner, agent, or manager of the mine, before he causes such boy or male young person

to be in any mine to which this Act applies below ground, shall report to the manager of such mine, or some person appointed by such manager that he is about to employ him in such mine.

As to employment of young persons under 18 about engines.

14. Where there is a shaft or an inclined plane or level in any mine to which this Act applies, whether for the purpose of an entrance to such mine or of a communication from one part to another part of such mine, and persons are taken up or down or along such shaft, plane, or level by means of any engine, windlass, or gin, driven or worked by steam or any mechanical power, or by an animal, or by manual labour, a person shall not be allowed to have charge of such engine, windlass, or gin, or of any part of the machinery, ropes, chains, or tackle connected therewith, unless he is a male of at least eighteen years of age.

Where the engine, windlass, or gin is worked by an animal, the person under whose direction the driver of the animal acts shall, for the purposes of this section, be deemed to be the person in charge of the engine, windlass, or gin, but such driver shall not be under twelve years of age.

Penalty for employment of persons in contravention of provisions of this Act.

15. If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with, any provision of this Act with respect to the employment of women, girls, young persons, boys, or children, or to the attendance of boys at school, or to the register of boys and male young persons, or of women, young persons, and children, or to the reporting the intended employment of boys or male young persons, or to the employment of persons about any engine, windlass, or gin, he shall be guilty of an offence against this Act; and in case of any such contravention or non-compliance by any person whomsoever, the owner, agent, and manager shall each be guilty of an offence against this Act, unless he prove that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this Act to prevent such contravention or non-compliance.

If it appear that a child, boy, or young person, or a person employed about an engine, windlass, or gin, was employed on the representation of his parent or guardian that he was of that age at which his employment would not be in contravention of this Act, and under the belief in good faith that he was of that age, the owner, agent, or manager of the mine and employer shall be exempted from any penalty, and the parent or guardian shall, for such misrepresentation, be deemed guilty of an offence against this Act.

Wages.

Prohibition of payment of wages at public houses, &c.

16. No wages shall be paid to any person employed in or about any mine to which this Act applies at or within any

public house, beer shop, or place for the sale of any spirits, beer, wine, cyder, or other spirituous or fermented liquor, or other house of entertainment, or any office, garden, or place belonging or contiguous thereto, or occupied therewith.

Every person who contravenes or fails to comply with or permits any person to contravene or fail to comply with this section shall be guilty of an offence against this Act; and in the event of any such contravention or non-compliance by any person whomsoever, the owner, agent, and manager shall each be guilty of an offence against this Act, unless he prove that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this section to prevent such contravention or non-compliance.

As to payment of persons employed in mines by weight.

17. Where the amount of wages paid to any of the persons employed in a mine to which this Act applies depends on the amount of mineral gotten by them, such persons shall, after the first day of August one thousand eight hundred and seventy-three, unless the mine is exempted by a Secretary of State, be paid according to the weight of the mineral gotten by them, and such mineral shall be truly weighed accordingly.

Provided always, that nothing herein contained shall preclude the owner, agent, or manager of the mine from agreeing with the persons employed in such mine that deductions shall be made in respect of stones or materials other than mineral contracted to be gotten, which shall be sent out of the mine with the mineral contracted to be gotten, or in respect of any tubs, baskets, or hutches being improperly filled in those cases where they are filled by the getter of the mineral or his drawer, or by the person immediately employed by him, such deductions being determined by the banksman or weigher and check weigher (if there be one), or in case of difference by a third party to be mutually agreed on by the owner, agent, or manager of the mine on the one hand, and the persons employed in the mine on the other.

Where it is proved to the satisfaction of a Secretary of State that by reason of any exigencies existing in the case of any mine or class of mines to which the foregoing provision in this section applies, it is requisite or expedient that the persons employed in such mine or class of mines should not be paid by the weight of the mineral gotten by them, or that the beginning of such payment by weight should be postponed, such Secretary of State may, if he think fit, by order exempt such mine or class of mines from the provisions of this section, either without condition or during the time and upon the conditions specified in the order, or postpone in such mine or class of mines the beginning of such payment by weight, and may from time to time revoke or alter any such order.

If any person contravenes or fails to comply with, or permits any person to contravene or fail to comply with, this section, he shall be guilty of an offence against this Act; and in the event of any contravention of or non-compliance with this section by any person whomsoever, the owner, agent, and manager shall each be guilty of an offence against this Act, unless he prove that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this section to prevent such contravention and non-compliance.

Appointment and removal of check weigher on part of men.

18. The persons who are employed in a mine to which this Act applies, and are paid according to the weight of the mineral gotten by them, may, at their own cost, station a person (in this Act referred to as "a check weigher") at the place appointed for the weighing of such mineral, in order to take an account of the weight thereof on behalf of the persons by whom he is so stationed. The check weigher shall be one of the persons employed either in the mine at which he is so stationed or in another mine belonging to the owner of that mine. He shall have every facility afforded to him to take a correct account of the weighing for the persons by whom he is so stationed; and if in any mine proper facilities are not afforded to the check weigher as required by this section, the owner, agent, and manager of such mine shall each be guilty of an offence against this Act, unless he prove that he had taken all reasonable means by enforcing to the best of his power the provisions of this section to prevent such contravention or non-compliance.

The check weigher shall not be authorised in any way to impede or interrupt the working of the mine, or to interfere with the weighing, but shall be authorised only to take such account as aforesaid, and the absence of the check weigher shall not be a reason for interrupting or delaying such weighing.

If the owner, agent, or manager of the mine desires the removal of a check weigher on the ground that such check weigher has impeded or interrupted the working of the mine or interfered with the weighing, or has otherwise misconducted himself, he may complain to any court of summary jurisdiction, who, if of opinion that the owner, agent, or manager shows sufficient primâ facie ground for the removal of such check weigher, shall call upon the check weigher to show cause against his removal. On the hearing of the case the court shall hear the parties, and, if they think that at the hearing sufficient ground is shown by the owner, agent, or manager to justify the removal of the check weigher, shall make a summary order for his removal, and the check weigher shall thereupon be removed, but without prejudice to the stationing of another check weigher in his place.

The court may in every case make such order as to the costs of the proceedings as they think just.

If in pursuance of any order of exemption made by a Secretary of State, the persons employed in a mine to which this Act applies are paid by the measure or gauge of the material gotten by them, the provisions of this section shall apply in like manner as if the term "weighing" included measuring and gauging, and the terms relating to weighing shall be construed accordingly.

Application of Weights and Measures Act to weights used in mines, &c.

19. The Weights and Measures Act, or any Act for the time being in force relating to weights and measures, shall apply to the weights used in any mine to which this Act applies for determining the wages payable to any person employed in such mine according to the weight of the mineral gotten by such person, in like manner as it applies to weights used for the sale of any article, and the inspector of weights and measures for the district appointed under the said Act shall accordingly from time to time, but without unnecessarily impeding or interrupting the working of the mine, inspect and examine, in manner directed by the said Act, the weighing machines and weights used for mines to which this Act applies, or the measures or gauges used for such mines: Provided that nothing in this section shall prevent the use of the measures and gauges ordinarily used in such mine.

The term "Weights and Measures Act" in this section means—

(*a.*) As to Great Britain, the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter sixty-three, "to repeal an Act of the "fourth and fifth year of His present Majesty "relating to weights and measures, and to make "other provisions instead thereof;" and,

(*b.*) As to Ireland, the Weights and Measures (Ireland) Amendment Act, 1862, as amended by the Act of the session of the thirtieth and thirty-first years of the reign of Her present Majesty, chapter ninety-four, "to provide for the inspection of weights and "measures, and to regulate the law relating thereto "in certain parts of the police district of Dublin "Metropolis."

Single Shafts.

Prohibition of single shafts.

20. After the commencement of this Act the owner, agent, or manager of a mine to which this Act applies shall not employ any person in such mine, or permit any person to be in such mine for the purpose of employment therein, unless there are in communication with every seam of such mine for the time being at work at least two shafts or outlets, separated by natural strata of not less than ten feet in breadth, by which shafts or outlets distinct means of ingress and egress are

available to the persons employed in such seam, whether such two shafts or outlets belong to the same mine, or one or more of them belong to another mine, and unless there is a communication of not less than four feet wide and three feet high between such two shafts or outlets, and unless there is at each of such two shafts or outlets or upon the works belonging to the mine and either in actual use or available for use within a reasonable time proper apparatus for raising and lowering persons at each such shaft or outlet.

Provided that such separation shall not be deemed incomplete by reason only that openings through the strata between the two shafts or outlets have been made for temporary purposes of ventilation, drainage, or otherwise; or in the case of mines where inflammable gas has not been found within the preceding twelve months for the same purposes although not temporary.

Every owner, agent, and manager of a mine who acts in contravention of or fails to comply with this section shall be guilty of an offence against this Act.

Any of Her Majesty's superior courts of law or equity, whether any other proceedings have or have not been taken, may, upon the application of the Attorney General, prohibit by injunction the working of any mine in which any person is employed, or is permitted to be for the purpose of employment, in contravention of this section, and may award such costs in the matter of the injunction as the court thinks just; but this provision shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this Act.

Written notice of the intention to apply for such injunction in respect of any mine shall be given to the owner, agent, or manager of such mine not less than ten days before the application is made.

Agreements in contravention of this Act illegal.

21. No person shall be precluded by any agreement from doing such acts as may be necessary for providing a second shaft or outlet to a mine, where the same is required by this Act, or be liable under any contract to any penalty or forfeiture for doing such acts as may be necessary in order to comply with the provisions of this Act with respect to shafts or outlets.

Exceptions from provisions as to single shafts.

22. The provisions of this Act with respect to shafts or outlets shall not apply in the following cases; that is to say,

(1.) In the case either of opening a new mine for the purpose of searching for or proving minerals, or of any working for the purpose of making a communication between two or more shafts, so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connexion with each shaft or outlet in such new mine or such working:

(2.) In the case of any proved mine so long as it is exempted in writing by a Secretary of State on the ground either—

(*a.*) that the quantity of mineral proved is not sufficient to repay the outlay which would be occasioned by the sinking or making of a second shaft or outlet, or

(*b.*) if the mine is not a coal mine, or mine with inflammable gas, that sufficient provision has been made against danger from other causes than explosions of gas by using stone, brick, or iron in the place of wood for the lining of the shaft and the construction of the mid wall; or

(*c.*) that the workings in any seam of a mine have reached the boundary of the property or other extremity of the mineral field of which such seam is a part, and that it is expedient to work away the pillars already formed in course of the ordinary working, notwithstanding that one of the shafts or outlets may be cut off by so working away the pillars of such seam;

and so long as there are not employed below ground at any one time in the whole of the different seams in connexion with the shaft or outlet in any such mine, more than twenty persons, or (if the mine is not a coal mine, or mine with inflammable gas) than such larger number of persons as may for the time being be allowed by a Secretary of State:

(3.) In the case of any mine one of the shafts or outlets of which has become, by reason of some accident, unavailable for the use of the persons employed in the mine, so long as such mine is exempted in writing by a Secretary of State, and as the conditions on which such exemption is granted are duly observed.

Temporary exception from provisions as to single shafts.

23. The provisions of this Act with respect to shafts or outlets shall not, until the first day of January one thousand eight hundred and seventy-five, apply to any mine which is not at the passing of this Act required to have two shafts or outlets.

Exemption of certain mines as to shafts, and extension of time for other mines.

24. If a written representation is made to a Secretary of State by the owner or agent of a mine not required at the passing of this Act to have two shafts or outlets, either—

(1.) Within six months after the commencement of this Act, alleging that by reason of the mine being nearly exhausted he ought to be exempted from the obligation of providing an additional shaft or outlet in pursuance of this Act; or,

(2.) Within six months immediately preceding the first day of January one thousand eight hundred and seventy-five, alleging that an extension of time for providing an additional shaft or outlet ought to be granted to him:

the question as to whether such exemption or extension of time ought to be granted shall be referred to arbitration, and the date of the receipt of such representation by a Secretary of State shall be deemed to be the date of the reference, and the award made upon such arbitration may exempt the owner of such mine from the obligation of providing an additional shaft or outlet, and may grant to the owner of such other mine as aforesaid such extension of time as may be specified by the award, but if the result of the arbitration is against the owner or agent, or if no award is made by reason of any default or neglect on the part of the owner or agent, the owner or agent shall be bound by the provisions of this Act as if this section had not been enacted.

Division of Mine into Parts.

Division of mine into parts.

25. Where two or more parts of a mine are worked separately the owner or agent of such mine may give notice in writing to that effect to the inspector of the district, and thereupon each such part shall, for all the purposes of this Act, be deemed to be a separate mine.

If a Secretary of State is of opinion that the division of a mine in pursuance of this section tends to lead to the evasion of the provisions of this Act, or otherwise to prevent the carrying of this Act into effect, he may object to such division by notice served on the owner or agent of the mine; and such owner or agent, if he decline to acquiesce in such objection, may, within twenty days after the receipt of such notice, send a notice to the inspector of the district stating that he declines so to acquiesce, and thereupon the matter shall be determined by arbitration in manner provided by this Act; and the date of the receipt of the last-mentioned notice shall be deemed to be the date of the reference.

Certificated Managers.

Appointment of manager to mine.

26. Every mine to which this Act applies shall be under the control and daily supervision of a manager, and the owner or agent of every such mine shall nominate himself or some other person (not being a contractor for getting the mineral in such mine, or a person in the employ of such contractor) to be the manager of such mine, and shall send written notice to the inspector of the district of the name and address of such manager.

A person shall not be qualified to be a manager of a mine to which this Act applies unless he is for the time being registered as the holder of a certificate under this Act.

If any mine to which this Act applies is worked for more than fourteen days without there being such a manager for that mine as is required by this section, the owner and agent of such mine shall each be liable to a penalty not exceeding fifty pounds, and to a further penalty not exceeding ten pounds for every day during which such mine is so worked.

Provided that—

(*a.*) The owner of such mine shall not be liable to any such penalty if he prove that he had taken all reasonable means by the enforcement of this section to prevent the mine being worked in contravention of this section:

(*b.*) If for any reasonable cause there is for the time being no manager of a mine qualified as required by this section, the owner or agent of such mine may appoint any competent person not holding a certificate under this Act to be manager, for a period not exceeding two months, or such longer period as may elapse before such person has an opportunity of obtaining by examination a certificate under this Act, and shall send to the inspector of the district a written notice of the name and address of such manager, and of the reason of his appointment; and

(*c.*) A mine in which less than thirty persons are ordinarily employed below ground, or of which the average daily out-put does not exceed twenty-five tons, shall be exempt from the provisions of this section, unless the inspector of the district, by notice in writing served on the owner or agent of such mine, requires the same to be under the control of a manager.

Appointment of examiners for granting certificates of competency to managers.

27. For the purpose of granting in any part of the United Kingdom, to be from time to time defined by an order in writing made by a Secretary of State, certificates of competency to managers of mines for the purposes of this Act, examiners shall be appointed by a board constituted as hereinafter mentioned.

A Secretary of State may from time to time appoint, remove, and re-appoint fit persons to form such board as follows; namely, three persons being owners of mines to which this Act applies in the said part of the United Kingdon, and three persons employed in or about a mine to which this Act applies in the said part of the United Kingdom, not being owners, agents, or managers of a mine, and three persons practising as mining engineers, agents, or managers of mines, or coal viewers in the said part of the United Kingdom, and one inspector under this Act; the persons so appointed shall during the pleasure of the Secretary of State form the board for the purposes of the said examinations in the said part of the United Kingdom.

Constitution and powers of board for appointing examiners.

28. The proceedings of the board shall be in accordance with the rules contained in Schedule Two to this Act; the board shall from time to time appoint examiners, not being members of the board, except with the consent of the Secretary of State, to conduct the examinations in the part of the United Kingdom for which such board acts, of applicants for certificates of competency under this Act, and may from time to time make, alter, and revoke rules as to the conduct of such examinations and the qualifications of the applicants, so, however, that in every such examination regard shall be had to such knowledge as is necessary for the practical working of mines in the said part of the United Kingdom every such board shall make from time to time to a Secretary of State a report and return of their proceedings, and of such other matters as a Secretary of State may from time to time require.

Regulations by Secretary of State as to examinations.

29. A Secretary of State may from time to time make, alter, and revoke rules as to the places and times of examinations of applicants for certificates of competency under this Act, the number and remuneration of the examiners, and the fees to be paid by the applicants, so that the fees do not exceed those specified in Schedule One to this Act. Every such rule shall be duly observed by every board appointed under this Act to whom it applies.

Grant of certificates to applicants on passing examination.

30. A Secretary of State shall deliver to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety, experience, ability, and general good conduct, such a certificate of competency as the case requires. The certificate shall be in such form as a Secretary of State from time to time directs, and a register of the holders of such certificates shall be kept by such person and in such manner as a Secretary of State from time to time directs.

Grant of certificates of service to existing managers.

31. Certificates of service for the purposes of this Act shall be granted by a Secretary of State to every person who satisfies him either that before the passing of this Act he was acting, and has since that day acted, or that he has at any time within five years before the passing of this Act for a period of not less than twelve months acted, in the capacity of a manager of a mine or such part of a mine as can under this Act be made a separate mine for the purposes of this Act.

Every such certificate of service shall contain particulars of the name, place, and time of birth, and the length and nature of the previous service of the person to whom the same is delivered, and a certificate of service may be refused to any person who fails to give a full and satisfactory account of the particulars aforesaid, or to pay such registration fee as

the Secretary of State may direct, not exceeding that mentioned in Schedule One to this Act.

A certificate of service shall have the same effect for the purposes of this Act as a certificate of competency granted under this Act.

Inquiry into competency of manager, and cancellation of certificate in case of unfitness.

32. If at any time representation is made to a Secretary of State by an inspector or otherwise, that any manager holding a certificate under this Act is by reason of incompetency or gross negligence unfit to discharge his duties, or has been convicted of an offence against this Act, the Secretary of State may, if he think fit, cause inquiry to be made into the conduct of such manager, and with respect to such inquiry the following provisions shall have effect:

(1.) The inquiry shall be public, and shall be held at such place as the Secretary of State may appoint by such county court judge, metropolitan police magistrate, stipendiary magistrate, or other person or persons, as may be directed by the Secretary of State, and either alone or with the assistance of any assessor or assessors named by the Secretary of State:

(2.) The Secretary of State shall, before the commencement of the inquiry, furnish to the manager a statement of the case upon which the inquiry is instituted:

(3.) Some person appointed by the Secretary of State shall undertake the management of the case:

(4.) The manager may attend the inquiry by himself, his counsel, attorney, or agent, and may, if he think fit, be sworn and examined as an ordinary witness in the case:

(5.) The persons appointed to hold the inquiry, in this Act referred to as the court, shall, upon the conclusion of the inquiry, send to the Secretary of State a report containing a full statement of the case, and their opinion thereon, and such report of, or extracts from the evidence, as the court think fit:

(6.) The court shall have power to cancel or suspend the certificate of the manager, if they find that he is by reason of incompetency or gross negligence, or of his having been convicted of an offence against this Act, unfit to discharge his duty:

(7.) The court may, if they think fit, require a manager to deliver up his certificate, and if any manager fail, without sufficient cause to the satisfaction of the court, to comply with such requisition, he shall be liable to a penalty not exceeding one hundred pounds. The court shall hold a certificate so delivered until the conclusion of the investigation, and shall then either restore, cancel, or suspend the same, according to their judgment on the case:

(8.) The court shall have for the purpose of the inquiry, all the powers of a court of summary jurisdiction, and all the powers of an inspector under this Act:

(9.) The court may also, by summons under their hands, require the attendance of all such persons as they think fit to call before them and examine for the purpose of the inquiry, and every person so summoned shall be allowed such expenses as would be allowed to a witness attending on subpœna before a court of record; and in case of dispute as to the amount to be allowed, the same shall be referred by the court to a master of one of the superior courts, who, on request under the hands of the members of the court, shall ascertain and certify the proper amount of such expenses.

As to costs and expenses of inquiry.

33. The court may make such order as they think fit respecting the costs and expenses of the inquiry, and such order shall, on the application of any party entitled to the benefit of the same, be enforced by any court of summary jurisdiction as if such costs and expenses were a penalty imposed by such court.

The Secretary of State may, if he think fit, pay to the members of the court of inquiry, including any assessors, such remuneration as he may with the consent of the Treasury appoint.

Any costs and expenses ordered by the court to be paid by a Secretary of State, and any remuneration paid under this section, shall be paid out of moneys provided by Parliament.

Cancellation of certificate to be recorded, but restoration thereof may be had through Secretary of State in certain cases.

34. Where a certificate of a manager is cancelled or suspended in pursuance of this Act, a Secretary of State shall cause such cancellation or suspension to be recorded in the register of holders of certificates.

A Secretary of State may at any time, if it is shown to him to be just so to do, renew or restore, on such terms as he think fit, any certificate which has been cancelled or suspended in pursuance of this Act.

Copy of certificate may be obtained in case of loss.

35. Whenever any person proves to the satisfaction of a Secretary of State that he has, without fault on his part, lost, or been deprived of any certificate previously granted to him under this Act, such Secretary of State shall, upon payment of such fee, if any, as he may direct, but not exceeding the fee specified in Schedule One to this Act, cause a copy of the certificate to which the applicant appears by the register to be entitled, to be made out and certified by the person who keeps the register, and delivered to the applicant, and any copy which purports to be so made and certified as aforesaid shall have all the effect of the original certificate.

Expenses and fees how to be defrayed.

36. All expenses incurred by a Secretary of State with the concurrence of the Commissioners of Her Majesty's Treasury in carrying into effect the provisions of this Act with respect to certificates of competency or service shall be defrayed out of moneys provided by Parliament.

All fees payable by the applicants for examination for or for a copy of a certificate under this Act shall be paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may from time to time direct, and be carried to the Consolidated Fund.

Penalty for forgery of a false declaration as to certificate.

37. Every person who commits any of the following offences, that is to say,

(1.) Forges, or counterfeits, or knowingly makes any false statement in any certificate of competency or service under this Act, or any official copy of such certificate; or

(2.) Knowingly utters or uses any such certificate or copy which has been forged or counterfeited or contains any false statement; or

(3.) For the purpose of obtaining, for himself or any other person, employment as a certificated manager, or the grant, renewal, or restoration of any certificate under this Act, or a copy thereof, either

(*a.*) makes or gives any declaration, representation, statement, or evidence which is false in any particular, or

(*b.*) knowingly utters, produces, or makes use of any such declaration, representation, statement, or evidence, or any document containing the same,

shall be guilty of a misdemeanour, and be liable on conviction to imprisonment for a term not exceeding two years, with or without hard labour.

Returns, Notices, and Abandonment.

Returns by owners, agents, or managers of mine.

38. On or before the first day of February in every year the owner, agent, or manager of every mine to which this Act applies shall send to the inspector of the district on behalf of a Secretary of State a correct return, specifying, with respect to the year ending on the preceding thirty-first day of December, the quantity of coal or other mineral wrought in such mine, and the number of persons ordinarily employed in or about such mine below ground and above ground, distinguishing the persons employed below ground and above ground, and the different classes and ages of the persons so employed whose hours of labour are regulated by this Act.

The return shall be in such form as may be from time to time prescribed by a Secretary of State, and the inspector of

the district on behalf of a Secretary of State shall from time to time on application furnish forms for the purpose of such return.

The Secretary of State may publish the aggregate results of such returns with respect to any particular county or inspector's district, or any large portion of a county or inspector's district, but the individual return shall not be published without the consent of the person making the same, or of the owner of the mine to which they relate, and no person except an inspector or Secretary of State shall be entitled, without such consent, to see the same.

Every owner, agent, or manager of a mine who fails to comply with this section or makes any return which is to his knowledge false in any particular shall be guilty of an offence against this Act.

Notice to be given of accidents in mines.

39. Where in or about any mine to which this Act applies, whether above or below ground, either

(1.) loss of life or any personal injury to any person employed in or about the mine occurs by reason of any explosion of gas, powder, or of any steam boiler; or

(2.) loss of life or any serious personal injury to any person employed in or about the mine occurs by reason of any accident whatever,

the owner, agent, or manager of the mine shall, within twenty-four hours next after the explosion or accident, send notice in writing of the explosion or accident and of the loss of life or personal injury occasioned thereby to the inspector of the district on behalf of a Secretary of State, and shall specify in such notice the character of the explosion or accident, and the number of persons killed and injured respectively.

Where any personal injury, of which notice is required to be sent under this section, results in the death of the person injured, notice in writing of the death shall be sent to the inspector of the district on behalf of a Secretary of State within twenty-four hours after such death comes to the knowledge of the owner, agent, or manager.

Every owner, agent, or manager who fails to act in compliance with this section shall be guilty of an offence against this Act.

Notice to be given of opening and abandonment of mine.

40. In any of the following cases, namely,

(1.) Where any working is commenced for the purpose of opening a new shaft for any mine to which this Act applies;

(2.) Where a shaft of any mine to which this Act applies is abandoned or the working thereof discontinued;

(3.) Where the working of a shaft of any mine to which this Act applies is recommenced after any abandonment or discontinuance for a period exceeding two months; or

(4.) Where any change occurs in the name of, or in the name of the owner, agent, or manager of, any mine to which this Act applies, or in the officers of any incorporated company which is the owner of a mine to which this Act applies,

the owner, agent, or manager of such mine shall give notice thereof to the inspector of the district within two months after such commencement, abandonment, discontinuance, recommencement, or change, and if such notice is not given the owner, agent, or manager shall be guilty of an offence against this Act.

Fencing of abandoned mine.

41. Where any mine to which this Act applies is abandoned or the working thereof discontinued, at whatever time such abandonment or discontinuance occurred, the owner thereof, and every other person interested in the minerals of such mine, shall cause the top of the shaft and any side entrance from the surface to be and to be kept securely fenced for the prevention of accidents:

Provided that—

(1.) Subject to any contract to the contrary, the owner of the mine shall, as between him and any other person interested in the minerals of the mine, be liable to carry into effect this section, and to pay any costs incurred by any other person interested in the minerals of the mine in carrying this section into effect:

(2.) Nothing in this section shall exempt any person from any liability under any other Act, or otherwise.

If any person fail to act in conformity with this section, he shall be guilty of an offence against this Act.

Any shaft or side entrance which is not fenced as required by this section, and is within fifty yards of any highway, road, footpath, or place of public resort, or is in open or uninclosed land, shall be deemed to be a nuisance within the meaning of section eight of the Nuisances Removal Act for England, 1855, as amended and extended by the Sanitary Act, 1866.

Plans of abandoned mines to be sent to Secretary of State.

42. Where any mine to which this Act applies is abandoned, the owner of such mine at the time of such abandonment shall, within three months after such abandonment, send to a Secretary of State an accurate plan on a scale of not less than a scale of two chains to one inch, or on such other scale as the plan used in the mine at the time of such abandonment is constructed on, showing the boundaries of the workings of such mine up to the time of the abandonment, with the view of its being preserved under the care of the Secretary of State, but no person, except an inspector under this Act, shall be entitled, without the consent of the owner of the mine, to see

such plan when so sent until after the lapse of ten years from the time of such abandonment.

Every person who fails to comply with this section shall be guilty of an offence against this Act.

Inspection.

Appointment of inspectors of mines.

43. A Secretary of State may from time to time appoint any fit persons to be inspectors of mines to which this Act applies, and assign them their duties, and may award them such salaries as the Commissioners of Her Majesty's Treasury may approve, and may remove such inspectors.

Notice of the appointment of every such inspector shall be published in the London Gazette.

Any such inspector is referred to in this Act as an inspector, and the inspector of a district means the inspector who is for the time being assigned to the district or portion of the United Kingdom with reference to which the term is used.

Any person appointed or acting as inspector under the Metalliferous Mines Regulation Act, 1872, if directed by a Secretary of State to act as an inspector under this Act, may so act, and shall be deemed to be an inspector under this Act.

Disqualification of persons as inspectors.

44. Any person who practises or acts or is a partner of any person who practises or acts as a land agent or mining engineer, or as a manager, viewer, agent, or valuer of mines, or arbitrator in any difference arising between owners, agents, or managers of mines, or is otherwise employed in or about any mine (whether such mine is one to which this Act applies or not), shall not act as an inspector of mines under this Act.

Powers of inspectors.

45. An inspector under this Act shall have power to do all or any of the following things; namely,

(1.) To make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act relating to matters above ground or below ground are complied with in the case of any mine to which this Act applies:

(2.) To enter, inspect, and examine any mine to which this Act applies, and every part thereof, at all reasonable times by day and night, but so as not to impede or obstruct the working of the said mine:

(3.) To examine into and make inquiry respecting the state and condition of any mine to which this Act applies, or any part thereof, and the ventilation of the mine, and the sufficiency of the special rules for the time being in force in the mine, and all matters and things connected with or relating to the safety of the persons employed in or about the mine or any mine contiguous thereto:

(4.) To exercise such other powers as may be necessary for carrying this Act into effect.

Every person who wilfully obstructs any inspector in the execution of his duty under this Act, and every owner, agent, and manager of a mine who refuses or neglects to furnish to the inspector the means necessary for making any entry, inspection, examination, or inquiry under this Act, in relation to such mine, shall be guilty of an offence against this Act.

Notice by inspectors of causes of danger not provided for by the rules.

46. If in any respect (which is not provided against by any express provision of this Act, or by any special rule) any inspector find any mine to which this Act applies, or any part thereof, or any matter, thing, or practice in or connected with any such mine, to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, such inspector may give notice in writing thereof to the owner, agent, or manager of the mine, and shall state in such notice the particulars in which he considers such mine, or any part thereof, or any matter, thing, or practice, to be dangerous or defective, and require the same to be remedied; and unless the same be forthwith remedied the inspector shall also report the same to a Secretary of State.

If the owner, agent, or manager of the mine objects to remedy the matter complained of in the notice he may, within twenty days after the receipt of such notice, send his objection in writing, stating the grounds thereof, to a Secretary of State; and thereupon the matter shall be determined by arbitration in manner provided by this Act; and the date of the receipt of such objection shall be deemed to be the date of the reference.

If the owner, agent, or manager fail to comply either with the requisition of the notice, where no objection is sent within the time aforesaid, or with the award made on arbitration, within twenty days after the expiration of the time for objection or the time of making of the award (as the case may be), he shall be guilty of an offence against this Act, and the notice and award shall respectively be deemed to be written notice of such offence.

Provided that the court, if satisfied that the owner, agent, or manager has taken active measures for complying with the notice or award, but has not, with reasonable diligence, been able to complete the works, may adjourn any proceedings taken before them for punishing such offence, and, if the works are completed within a reasonable time, no penalty shall be inflicted.

No person shall be precluded by any agreement from doing such acts as may be necessary to comply with the provisions of this section, or be liable under any contract to any penalty or forfeiture for doing such acts.

Plans of mines to be kept by owner, &c.

47. The owner, agent, or manager of every mine to which this Act applies shall keep in the office at the mine an accurate plan of the workings of such mine, and showing the workings up to at least six months previously.

The owner, agent, or manager of the mine shall produce to an inspector under this Act at the mine, such plan, and shall, if requested by the inspector, mark on such plan the progress of the workings of the mine up to the time of such production, and shall allow the inspector to examine the same; but the inspector is not hereby authorised to make a copy of any part of such plan.

If the owner, agent, or manager of any mine to which this Act applies fails to keep such plan as is prescribed by this section, or wilfully refuses to produce or allow to be examined such plan, or wilfully withholds any portion of any plan, or conceals any part of the workings of his mine, or produces an imperfect or inaccurate plan, unless he shows that he was ignorant of such concealment, imperfection, or inaccuracy, he shall be guilty of an offence against this Act; and further, the inspector may, by notice in writing, (whether a penalty for such offence has or has not been inflicted,) require the owner, agent, or manager to cause an accurate plan, such as is prescribed by this section, to be made within a reasonable time, at the expense of the owner of the mine, on a scale of not less than a scale of two chains to one inch, or on such other scale as the plan then used in the mine is constructed on.

If the owner, agent, or manager fail within twenty days, or such further time as may be shown to be necessary, after the requisition of the inspector to make or cause to be made such plan, he shall be guilty of an offence against this Act.

Inspector to make an annual report, and special reports as directed.

48. Every inspector under this Act shall make an annual report of his proceedings during the preceding year to a Secretary of State, which report shall be laid before both Houses of Parliament.

A Secretary of State may at any time direct an inspector to make a special report with respect to any accident in a mine to which this Act applies, which accident has caused loss of life or personal injury to any person, and in such case shall cause such report to be made public at such time and in such manner as he thinks expedient.

Arbitration.

Provisions as to arbitrations.

49. With respect to arbitrations under this Act, the following provisions shall have effect:

(1.) The parties to the arbitration are in this section deemed to be the owner, agent, or manager of the mine on the one hand, and the inspector of mines (on behalf of the Secretary of State) on the other:

(2.) Each of the parties to the arbitration may, within twenty-one days after the date of the reference, appoint an arbitrator:

(3.) No person shall act as arbitrator or umpire under this Act who is employed in or in the management of or is interested in the mine to which the arbitration relates:

(4.) The appointment of an arbitrator under this section shall be in writing, and notice of the appointment shall be forthwith sent to the other party to the arbitration, and shall not be revoked without the consent of such other party:

(5.) The death, removal, or other change in any of the parties to the arbitration shall not affect the proceedings under this section:

(6.) If within the said twenty-one days either of the parties fail to appoint an arbitrator, the arbitrator appointed by the other party may proceed to hear and determine the matter in difference, and in such case the award of the single arbitrator shall be final:

(7.) If before an award has been made any arbitrator appointed by either party die or become incapable to act, or for fourteen days refuse or neglect to act, the party by whom such arbitrator was appointed may appoint some other person to act in his place; and if he fail to do so within fourteen days after notice in writing from the other party for that purpose, the remaining arbitrator may proceed to hear and determine the matters in difference, and in such case the award of such single arbitrator shall be final:

(8.) In either of the foregoing cases where an arbitrator is empowered to act singly, upon one of the parties failing to appoint, the party so failing may, before the single arbitrator has actually proceeded in the arbitration, appoint an arbitrator, who shall then act as if no failure had been made:

(9.) If the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed, or within such extended time (if any) as may have been appointed for that purpose by both arbitrators under their hands, the matter in difference shall be determined by the umpire appointed as herein-after mentioned:

(10.) The arbitrators, before they enter upon the matters referred to them, shall appoint by writing under their hands an umpire to decide on points on which they may differ:

(11.) If the umpire die or become incapable to act before he has made his award, or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the persons or person who appointed such umpire shall forthwith appoint another umpire in his place:

(12.) If the arbitrators refuse or fail or for seven days after the request of either party neglect to appoint an umpire, then on the application of either party an umpire shall be appointed by the chairman of the general or quarter sessions of the peace, within the jurisdiction of which the mine is situate:

(13.) The decision of every umpire on the matters referred to him shall be final:

(14.) If a single arbitrator fail to make his award within twenty-one days after the day on which he was appointed, the party who appointed him may appoint another arbitrator to act in his place:

(15.) The arbitrators and their umpire or any of them may examine the parties and their witnesses on oath, they may also consult any counsel, engineer, or scientific person whom they may think it expedient to consult:

(16.) The payment, if any, to be made to any arbitrator or umpire for his services shall be fixed by the Secretary of State, and together with the costs of the arbitration and award shall be paid by the parties or one of them according as the award may direct. Such costs may be taxed by a master of one of the superior courts, who, on the written application of either of the parties, shall ascertain and certify the proper amount of such costs. The amount, if any, payable by the Secretary of State shall be paid as part of the expenses of inspectors under this Act. The amount, if any, payable by the owner, agent, or manager may in the event of non-payment be recovered in the same manner as penalties under this Act:

(17.) Every person who is appointed an arbitrator or umpire under this section shall be a practical mining engineer, or a person accustomed to the working of mines, but when an award has been made under this section the arbitrator or umpire who made the same shall be deemed to have been duly qualified as provided by this section.

Coroners.

Provisions as to coroners inquests on deaths from accidents in mines.

50. With respect to coroners inquests on the bodies of persons whose death may have been caused by explosions or accidents in mines to which this Act applies, the following provisions shall have effect:-

(1.) Where a coroner holds an inquest upon a body of any person whose death may have been caused by any explosion or accident, of which notice is required by this Act to be given to the inspector of the district, the coroner shall adjourn such inquest unless an inspector, or some person on behalf of a Secretary of State, is present to watch the proceedings:

(2.) The coroner, at least four days before holding the adjourned inquest, shall send to the inspector for the district notice in writing of the time and place of holding the adjourned inquest:

(3.) The coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof:

(4.) If an explosion or accident has not occasioned the death of more than one person, and the coroner has sent to the inspector of the district notice of the time and place of holding the inquest not less than forty-eight hours before the time of holding the same, it shall not be imperative on him to adjourn such inquest in pursuance of this section, if the majority of the jury think it unnecessary so to adjourn:

(5.) An inspector shall be at liberty at any such inquest to examine any witness, subject nevertheless to the order of the coroner:

(6.) Where evidence is given at an inquest at which an inspector is not present of any neglect as having caused or contributed to the explosion or accident, or of any defect in or about the mine appearing to the coroner or jury to require a remedy, the coroner shall send to the inspector of the district notice in writing of such neglect or default:

(7.) Any person having a personal interest in or employed in or in the management of the mine in which the explosion or accident occurred shall not be qualified to serve on the jury empannelled on the inquest; and it shall be the duty of the constable or other officer not to summon any person disqualified under this provision, and it shall be the duty of the coroner not to allow any such person to be sworn or to sit on the jury.

Every person who fails to comply with the provisions of this section shall be guilty of an offence against this Act.

PART II.

RULES.

General Rules.

General rules: **51.** The following general rules shall be observed, so far as is reasonably practicable, in every mine to which this Act applies:

Ventilation. (1.) An adequate amount of ventilation shall be constantly produced in every mine, to dilute and render harmless noxious gases to such an extent that the working places of the shafts, levels, stables, and workings of such mine, and the travelling

roads to and from such working places, shall be in a fit state for working and passing therein.

(2.) In every mine in which inflammable gas has been found within the preceding twelve months, then once in every twenty-four hours if one shift of workmen is employed, and once in every twelve hours if two shifts are employed during any twenty-four hours, a competent person or competent persons, who shall be appointed for the purpose, shall, before the time for commencing work in any part of the mine, inspect with a safety lamp that part of the mine, and the roadways leading thereto, and shall make a true report of the condition thereof, so far as ventilation is concerned, and a workman shall not go to work in such part until the same and the roadways leading thereto are stated to be safe. Every such report shall be recorded without delay in a book which shall be kept at the mine for the purpose, and shall be signed by the person making the same.

(3.) In every mine in which inflammable gas has not been found within the preceding twelve months, then once in every twenty-four hours a competent person or competent persons, who shall be appointed for the purpose, shall, so far as is reasonably practicable, immediately before time for commencing work in any part of the mine, inspect that part of the mine and the roadways leading thereto, and shall make a true report of the condition thereof so far as ventilation is concerned, and a workman shall not go to work in such part until the same and the roadways leading thereto are stated to be safe. Every report shall be recorded without delay in a book which shall be kept at the mine for the purpose, and shall be signed by the person making the same.

Fencing of places not in use.

(4.) All entrances to any place not in actual course of working and extension, shall be properly fenced across the whole width of such entrance, so as to prevent persons inadvertently entering the same.

Stations.

(5.) A station or stations shall be appointed at the entrance to the mine, or to different parts of the mine, as the case may require, and a workman shall not pass beyond any such station until the mine or part of the mine beyond the same has been inspected and stated to be safe.

Withdrawal of workmen in case of danger.

(6.) If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious gases prevailing in such mine or such part thereof, or, of any cause whatever, the mine or the said part is dangerous, every workman shall be withdrawn from the mine or such part thereof as is so found dangerous, and a competent person who shall be appointed for the purpose shall inspect the mine or such part thereof as is so found dangerous, and if the danger arises from inflammable gas shall inspect the same with a locked safety lamp, and in every case shall make a true report of the condition of such mine or part thereof, and

a workman shall not, except in so far as is necessary for inquiring into the cause of danger or for the removal thereof, or for exploration, be readmitted into the mine, or such part thereof as was so found dangerous, until the same is stated by such report not to be dangerous. Every such report shall be recorded in a book which shall be kept at the mine for the purpose, and shall be signed by the person making the same.

Safety lamps and lights.

(7.) In every working approaching any place where there is likely to be an accumulation of explosive gas, no lamp or light other than a locked safety lamp shall be allowed or used, and whenever safety lamps are required by this Act, or by the special rules made in pursuance of this Act to be used, a competent person who shall be appointed for the purpose shall examine every safety lamp immediately before it is taken into the workings for use, and ascertain it to be secure and securely locked, and in any part of a mine in which safety lamps are so required to be used, they shall not be used until they have been so examined and found secure and securely locked, and shall not without due authority be unlocked, and in the said part of a mine a person shall not, unless he is appointed for the purpose, have in his possession any key or contrivance for opening the lock of any such safety lamp, or any lucifer match or apparatus of any kind for striking a light.

Gunpowder and blasting.

(8.) Gunpowder or other explosive or inflammable substance shall only be used in the mine underground as follows:

(*a.*) It shall not be stored in the mine:

(*b.*) It shall not be taken into the mine, except in a case or canister containing not more than four pounds:

(*c.*) A workman shall not have in use at one time, in any one place more than one of such cases or canisters:

(*d.*) In charging holes for blasting, an iron or steel pricker shall not be used, and a person shall not have in his possession in the mine underground any iron or steel pricker, and an iron or steel tamping rod or stemmer shall not be used for ramming either the wadding or the first part of the tamping or stemming on the powder:

(*e.*) A charge of powder which has missed fire shall not be unrammed:

(*f.*) It shall not be taken into or be in the possession of any person in any mine, except in cartridges, and shall not be used, except in accordance with the following regulations, during three months after any inflammable gas has been found in any such mine; namely,

(1.) A competent person who shall be appointed for the purpose shall, immediately before firing the shot, examine the place where it is to be used, and the places contiguous thereto, and shall not

allow the shot to be fired unless he finds it safe to do so, and a shot shall not be fired except by or under the direction of a competent person who shall be appointed for the purpose:

(2.) If the said inflammable gas issued so freely that it showed a blue cap on the flame of the safety lamp, it shall only be used—

(*a.*) Either in those cases of stone drifts, stone work, and sinking of shafts, in which the ventilation is so managed that the return air from the place where the powder is used passes into the main return air course without passing any place in actual course of working; or

(*b.*) When the persons ordinarily employed in the mine are out of the mine or out of the part of the mine where it is used:

(*g.*) Where a mine is divided into separate panels in such manner that each panel has an independent intake and return air-way from the main air course and the main return air course, the provisions of this rule with respect to gunpowder or other explosive inflammable substance shall apply to each such panel in like manner as if it were a separate mine.

Water and bore-holes.

(9.) Where a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed eight feet in width, and there shall be constantly kept at a sufficient distance, not being less than five yards, in advance, at least one bore-hole near the centre of the working, and sufficient flank bore-holes on each side.

Man-holes.

(10.) Every underground plane on which persons travel, which is self-acting or worked by an engine, windlass, or gin, shall be provided (if exceeding thirty yards in length) with some proper means of signalling between the stopping places and the ends of the plane, and shall be provided in every case, at intervals of not more than twenty yards, with sufficient man-holes for places of refuge.

(11.) Every road on which persons travel underground where the load is drawn by a horse or other animal shall be provided, at intervals of not more than fifty yards, with sufficient man-holes, or with a space for a place of refuge, which space shall be of sufficient length, and of at least three feet in width, between the waggons running on the tramroad and the side of such road.

(12.) Every man-hole and space for a place of refuge shall be constantly kept clear, and no person shall place anything in a man-hole or such space so as to prevent access thereto.

Fencing of old shafts.

(13.) The top of every shaft which for the time being is out of use, or used only as an air shaft, shall be securely fenced.

Fencing of entrances to shafts.

(14.) The top and all entrances between the top and bottom of every working or pumping shaft shall be properly fenced, but this shall not be taken to forbid the temporary removal of the fence for the purpose of repairs or other operations, if proper precautions are used.

Securing of shafts.

(15.) Where the natural strata are not safe, every working or pumping shaft shall be securely cased, lined, or otherwise made secure.

Securing of roofs and sides.

(16.) The roof and sides of every travelling road and working place shall be made secure, and a person shall not, unless appointed for the purpose of exploring or repairing, travel or work in any such travelling road or working place which is not so made secure.

Use of different shafts.

(17.) Where there is a downcast and furnace shaft, and both such shafts are provided with apparatus in use for raising and lowering persons, every person employed in the mine shall, upon giving reasonable notice, have the option of using the downcast shaft.

Attendance of engine-man.

(18.) In any mine which is usually entered by means of machinery, a competent person of such age as prescribed by this Act shall be appointed for the purpose of working the machinery which is employed in lowering and raising persons therein, and shall attend for the said purpose during the whole time that any person is below ground in the mine.

Signalling.

(19.) Every working shaft used for the purpose of drawing minerals or for the lowering or raising of persons shall, if exceeding fifty yards in depth, and not exempted in writing by the inspector of the district, be provided with guides and some proper means of communicating distinct and definite signals from the bottom of the shaft and from every entrance for the time being in work between the surface and the bottom of the shaft to the surface, and from the surface to the bottom of the shaft and to every entrance for the time being in work between the surface and the bottom of the shaft.

Cover overhead.

(20.) A sufficient cover overhead shall be used when lowering or raising persons in every working shaft, except where it is worked by a windlass, or where the person is employed about the pump or some work of repair in the shaft, or where a written exemption is given by the inspector of the district.

Chains.

(21.) A single linked chain shall not be used for lowering or raising persons in any working shaft or plane except for the short coupling chain attached to the cage or load.

Slipping of rope on drum.

(22.) There shall be on the drum of every machine used for lowering or raising persons such flanges or horns, and also if the drum is conical, such other appliances, as may be sufficient to prevent the rope from slipping.

Break.

(23.) There shall be attached to every machine worked by steam, water, or mechanical power and used for lowering or raising persons, an adequate break, and also a proper indicator

(in addition to any mark on the rope) which shows to the person who works the machine the position of the cage or load in the shaft.

Fencing machinery.

(24.) Every fly-wheel and all exposed and dangerous parts of the machinery used in or about the mine shall be and be kept securely fenced.

Gauges to boilers and safety valve.

(25.) Every steam boiler shall be provided with a proper steam gauge and water gauge, to show respectively the pressure of steam and the height of water in the boiler, and with a proper safety valve.

Barometer, &c.

(26.) After dangerous gas has been found in any mine, a barometer and thermometer shall be placed above ground in a conspicuous position near the entrance to the mine.

Wilful damage.

(27.) No person shall wilfully damage, or without proper authority remove or render useless any fence, fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, break, indicator, steam gauge, water gauge, safety valve, or other appliance or thing provided in any mine in compliance with this Act.

Observance of directions.

(28.) Every person shall observe such directions with respect to working as may be given to him with a view to comply with this Act or the special rules.

Daily inspection of mine.

(29.) A competent person or competent persons who shall be appointed for the purpose shall, once at least in every twenty-four hours, examine the state of the external parts of the machinery, and the state of the head gear, working places, levels, planes, ropes, chains, and other works of the mine which are in actual use, and once at least in every week shall examine the state of the shafts by which persons ascend or descend, and the guides or conductors therein, and shall make a true report of the result of such examination, and such report shall be recorded in a book to be kept at the mine for the purpose, and shall be signed by the person who made the same.

Inspection of mine on behalf of workmen.

(30.) The persons employed in a mine may from time to time appoint two of their number to inspect the mine at their own cost, and the persons so appointed shall be allowed, once at least in every month, accompanied, if the owner, agent, or manager of the mine thinks fit, by himself or one or more officers of the mine, to go to every part of the mine, and to inspect the shafts, levels, planes, working places, return airways, ventilating apparatus, old workings, and machinery, and shall be afforded by the owner, agent, and manager, and all persons in the mine, every facility for the purpose of such inspection, and shall make a true report of the result of such inspection, and such report shall be recorded in a book to be kept at the mine for the purpose, and shall be signed by the persons who made the same.

Books.

(31.) The books mentioned in this section, or a copy thereof, shall be kept at the office at the mine, and any inspector under this Act, and any person employed in the mine, may, at all

reasonable times, inspect and take copies of and extracts from any such books.

Every person who contravenes or does not comply with any of the general rules in this section shall be guilty of an offence against this Act; and in the event of any contravention of or non-compliance with any of the said general rules in the case of any mine to which this Act applies, by any person whomsoever, being proved, the owner, agent, and manager shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine, to prevent such contravention or non-compliance.

Special Rules.

Special rules.

52. There shall be established in every mine to which this Act applies such rules (referred to in this Act as special rules) for the conduct and guidance of the persons acting in the management of such mine or employed in or about the same as, under the particular state and circumstances of such mine, may appear best calculated to prevent dangerous accidents, and to provide for the safety and proper discipline of the persons employed in or about the mine, and such special rules, when established, shall be signed by the inspector who is inspector of the district at the time such rules are established, and shall be observed in and about every such mine, in the same manner as if they were enacted in this Act.

If any person who is bound to observe the special rules established for any mine acts in contravention of or fails to comply with any of such special rules, he shall be guilty of an offence against this Act, and also the owner agent, and manager of such mine, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine, so as to prevent such contravention or non-compliance, shall each be guilty of an offence against this Act.

Establishment of new special rules.

53. The owner, agent, or manager of every mine to which this Act applies shall frame and transmit to the inspector of the district, for approval by a Secretary of State, special rules for such mine within three months after the commencement of this Act, or within three months after the commencement (if subsequent to the commencement of this Act) of any working for the purpose of opening a new mine or of renewing the working of an old mine.

The proposed special rules, together with a printed notice specifying that any objection to such rules on the ground of anything contained therein or omitted therefrom may be sent by any of the persons employed in the mine to the inspector of the district, at his address, stated in such notice, shall, during

not less than two weeks before such rules are transmitted to the inspector, be posted up in like manner as is provided in this Act respecting the publication of special rules for the information of persons employed in the mine, and a certificate that such rules and notice have been so posted up shall be sent to the inspector with the rules, signed by the person sending the same.

If the rules are not objected to by the Secretary of State within forty days after their receipt by the inspector, they shall be established.

Secretary of State may object to special rules.

54. If the Secretary of State is of opinion that the proposed special rules so transmitted, or any of them, do not sufficiently provide for the prevention of dangerous accidents in the mine, or for the safety of the persons employed in or about the mine, or are unreasonable, he may, within forty days after the rules are received by the inspector, object to the rules, and propose to the owner, agent, or manager in writing any modifications in the rules by way either of omission, alteration, substitution, or addition.

If the owner, agent, or manager does not, within twenty days after the modifications proposed by the Secretary of State are received by him, object in writing to them, the proposed special rules, with such modifications, shall be established.

If the owner, agent, or manager sends his objection in writing within the said twenty days to the Secretary of State, the matter shall be referred to arbitration, and the date of the receipt of such objection by the Secretary of State shall be deemed to be the date of the reference, and the rules shall be established as settled by an award on arbitration.

Amendment of special rules.

55. After special rules are established under this Act in any mine, the owner, agent, or manager of such mine may from time to time propose in writing to the inspector of the district, for the approval of a Secretary of State, any amendment of such rules or any new special rules, and the provisions of this Act with respect to the original special rules shall apply to all such amendments and new rules in like manner, as near as may be, as they apply to the original rules.

A Secretary of State may from time to time propose in writing to the owner, agent, or manager of the mine any new special rules, or any amendment to the special rules, and the provisions of this Act with respect to a proposal of a Secretary of State for modifying the special rules transmitted by the owner, agent, or manager of a mine shall apply to all such new special rules and amendments in like manner, as near as may be, as they apply to such proposal.

As to false statements and neglect of transmission

56. If the owner, agent, or manager of any mine to which this Act applies makes any false statement with respect to the posting up of the rules and notices, he shall be guilty of an

of special rules to the inspector.

offence against this Act, and if special rules for any mine are not transmitted within the time limited by this Act to the inspector for the approval of a Secretary of State, the owner, agent, and manager of such mine shall each be guilty of an offence against this Act, unless he prove that he had taken all reasonable means, by enforcing to the best of his power the provisions of this section, to secure the transmission of such rules.

Publication of special rules.

57. For the purpose of making known the special rules and the provisions of this Act to all persons employed in and about each mine to which this Act applies, an abstract of the Act supplied, on the application of the owner, agent, or manager of the mine, by the inspector of the district on behalf of a Secretary of State, and an entire copy of the special rules shall be published as follows:

(1.) The owner, agent, or manager of such mine shall cause such abstract and rules, with the name and address of the inspector of the district, and the name of the owner or agent and of the manager appended thereto, to be posted up in legible characters, in some conspicuous place at or near the mine, where they may be conveniently read by the persons employed; and so often as the same become defaced, obliterated, or destroyed, shall cause them to be renewed with all reasonable despatch:

(2.) The owner, agent, or manager shall supply a printed copy of the abstract and the special rules gratis to each person employed in or about the mine who applies for such copy at the office at which the persons immediately employed by such owner, agent, or manager are paid:

(3.) Every copy of the special rules shall be kept distinct from any rules which depend only on the contract between the employer and employed.

In the event of any non-compliance with the provisions of this section by any person whomsoever, the owner, agent, and manager shall each be guilty of an offence against this Act; but the owner, agent, or manager of such mine shall not be deemed guilty if he prove that he had taken all reasonable means, by enforcing to the best of his power the observance of this section, to prevent such non-compliance.

Defacing notices.

58. Every person who pulls down, injures, or defaces any proposed special rules, notice, abstract, or special rules when posted up in pursuance of the provisions of this Act with respect to special rules, or any notice posted up in pursuance of the special rules, shall be guilty of an offence against this Act.

Certified copy of special rules to be evidence.

59. An inspector under this Act shall, when required, certify a copy which is shown to his satisfaction to be a true

copy of any special rules, which for the time being are established under this Act in any mine, and a copy so certified shall be evidence (but not to the exclusion of other proof) of such special rules and of the fact that they are duly established under this Act and have been signed by the inspector.

PART III.

SUPPLEMENTAL.

Penalties.

Penalty for offences against Act.

60. Every person employed in or about a mine, other than an owner, agent, or manager, who is guilty of any act or omission which in the case of an owner, agent, or manager would be an offence against this Act, shall be deemed to be guilty of an offence against this Act.

Every person who is guilty of an offence against this Act shall be liable to a penalty not exceeding, if he is an owner, agent, or manager, twenty pounds, and if he is any other person, two pounds, for each offence; and if the inspector has given written notice of any such offence, to a further penalty not exceeding one pound for every day after such notice that such offence continues to be committed.

Imprisonment for wilful neglect endangering life or limb.

61. Where a person who is an owner, agent, or manager of or a person employed in or about a mine is guilty of any offence against this Act, which, in the opinion of the court that tries the case, is one which was reasonably calculated to endanger the safety of the persons employed in or about the mine, or to cause serious personal injury to any of such persons, or to cause a dangerous accident, and was committed wilfully by the personal act, personal default, or personal negligence of the person accused, such person shall be liable, if the court is of opinion that a pecuniary penalty will not meet the circumstances of the case, to imprisonment, with or without hard labour, for a period not exceeding three months.

If any person feel aggrieved by any conviction made by a court of summary jurisdiction on determining any information under this Act, by which conviction imprisonment is adjudged in pursuance of this section, or by which conviction the sum adjudged to be paid amounts to or exceeds half the maximum penalty, the person so aggrieved may appeal therefrom, subject to the conditions and regulations following:

(1.) The appeal shall be made to the next court of general or quarter sessions for the county, division, or place in which the cause of appeal has arisen, holden not less than twenty-one days after the decision of the court from which the appeal is made:

(2.) The appellant shall, within seven days after the cause of appeal has arisen, give notice to the other party and to the court of summary jurisdiction, of his intention to appeal, and of the ground thereof:

(3.) The appellant shall, immediately after such notice, enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or give such other security by deposit of money or otherwise as the justice may allow:

(4.) The justice may, if he think fit, on the appellant entering into such recognizance or giving such other security as aforesaid, release him from custody:

(5.) The court of appeal may adjourn the appeal, and upon the hearing thereof they may confirm, reverse, or modify the decision of the court of summary jurisdiction, or remit the matter to the court of summary jurisdiction with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just. The court of appeal may also make such order as to costs to be paid by either party as the court thinks just.

Provided that in Scotland—

(1.) This section shall not apply to any conviction made by a sheriff:

(2.) The term "entering into a recognizance before a justice of the peace" shall mean finding caution with the clerk of the justices of the peace to the satisfaction of a justice of the peace, and the term "recognizance" shall mean a bond of caution:

(3.) In Scotland it shall be competent to any person empowered to appeal by this section, to appeal against a conviction by a sheriff to the next circuit court, or where there are no circuit courts to the high court of justiciary at Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, chapter forty-three, and any Acts amending the same, as relate to appeals in matters criminal, and by and under the rules, limitations, conditions, and restrictions contained in the said provisions.

Summary proceedings for offences, penalties, &c.

62. All offences under this Act not declared to be misdemeanours, and all penalties under this Act, and all money and costs by this Act directed to be recovered as penalties, may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts before a court of summary jurisdiction.

Proceedings for the removal of a check weigher shall be deemed to be a matter on which a court of summary jurisdiction has authority by law to make an order in pursuance of the Summary Jurisdiction Acts, and summary orders under this Act may be made on complaint before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

The "Court of Summary Jurisdiction," when hearing and determining an information or complaint, shall be constituted—

(*a.*) In England, either of two or more justices of the peace in petty sessions sitting at a place appointed for holding petty sessions, or of some magistrate or officer for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace, and sitting alone or with others at some court or other place appointed for the administration of justice; or,

(*b.*) In Scotland, of two or more justices of the peace sitting as judges in a justice of the peace court or of the sheriff or some other magistrate or officer for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace, and sitting alone or with others at some court or other place appointed for the administration of justice; or,

(*c.*) In Ireland, within the police district of Dublin metropolis, of one of the divisional justices of that district sitting at a police court within the district, and elsewhere of two or more justices of the peace sitting in petty sessions at a place appointed for holding petty sessions.

General provisions as to summary proceedings.

63. In every part of the United Kingdom the following provisions shall have effect:

1. Any complaint or information made or laid in pursuance of this Act shall be made or laid within three months from the time when the matter of such complaint or information respectively arose:
2. The description of any offence under this Act in the words of this Act shall be sufficient in law:
3. Any exception, exemption, proviso, excuse, or qualification, whether it does or not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information, and if so specified or negatived, no proof in relation to the matters so specified or negatived shall be required on the part of the informant:

4. The owner, agent, or manager may, if he think fit, be sworn and examined as an ordinary witness in the case where he is charged in respect of any contravention or non-compliance by another person:
5. The court shall, if required by either party, cause minutes of the evidence to be taken and preserved:
6. A court of summary jurisdiction shall not impose a penalty under this Act exceeding fifty pounds, but any such court may impose that or any less penalty for any one offence, notwithstanding the offence involves a penalty of higher amount.

Prosecution for offences.

64. No prosecution shall be instituted against the owner, agent, or manager of a mine to which this Act applies for any offence under this Act which can be prosecuted before a court of summary jurisdiction, except by an inspector or with the consent in writing of a Secretary of State; and in the case of any offence of which the owner, agent, or manager of a mine is not guilty if he proves that he had taken all reasonable means to prevent the commission thereof, an inspector shall not institute any prosecution against such owner, agent, or manager, if satisfied that he had taken such reasonable means as aforesaid.

Summary proceedings for offences in Scotland.

65. In Scotland the following provisions shall have effect:

(1.) All jurisdictions, powers, and authorities necessary for the court of summary jurisdiction under this Act are hereby conferred on that court:

(2.) Every person found liable under this Act by a court of summary jurisdiction in any penalty, or to pay any money or costs by this Act directed to be recovered as penalties, shall be liable in default of immediate payment to be imprisoned for a term not exceeding three months, and the conviction and warrant may be in the form of No. 3 of Schedule K. of the Summary Procedure Act, 1864:

(3.) In Scotland any penalty exceeding fifty pounds shall be recovered and enforced in the same manner in which any penalty due to Her Majesty under any Act of Parliament may be recovered and enforced.

Persons not to be punished twice for the same offence.

66. Nothing in this Act shall prevent any person from being indicted or liable under any other Act or otherwise to any other or higher penalty or punishment than is provided for any offence by this Act, so that no person be punished twice for the same offence.

If the court before whom a person is charged with an offence under this Act think that proceedings ought to be taken against such person for such offence under any other Act or otherwise, the court may adjourn the case to enable such proceedings to be taken.

Owner of mine, &c. not to act as justice, &c. in proceedings under this Act.

67. A person who is the owner, agent, or manager of any mine to which this Act applies, or the father, son, or brother of such owner, agent, or manager, shall not act as a court or member of a court of summary jurisdiction in respect of any offence under this Act..

Application of penalties.

68. Where a penalty is imposed under this Act for neglecting to send a notice of any explosion or accident or for any offence against this Act which has occasioned loss of life or personal injury, a Secretary of State may (if he think fit) direct such penalty to be paid to or distributed among the persons injured, and the relatives of any persons whose death may have been occasioned by such explosion, accident, or offence, or among some of them.

Provided that—

(1.) Such persons did not in his opinion occasion or contribute to occasion the explosion or accident, and did not commit and were not parties to committing the offence:

(2.) The fact of such payment or distribution shall not in any way affect or be receivable as evidence in any legal proceeding relative to or consequential on such explosion, accident, or offence.

Save as aforesaid, all penalties imposed in pursuance of this Act shall be paid into the receipt of Her Majesty's Exchequer, and shall be carried to the Consolidated Fund.

In Ireland all penalties imposed and recovered under this Act shall be applied in manner directed by the Fines Act (Ireland), 1851, and any Act amending the same.

Return as in Sched. Four to be sent to inspector of district.

69. The owner, occupier, or manager of every mine shall on the first of January every year, and at any other time when required by the Secretary of State, send to the inspector of his district a return of facts relating to his mine in the form given in Schedule Four.

Miscellaneous.

As to question whether a mine is a mine under this Act.

70. If any question arises whether a mine is a mine to which this Act or the Metalliferous Mines Regulation Act, 1872, applies, such question shall be referred to a Secretary of State, whose decision thereon shall be final.

Notices may be served by post.

71. All notices under this Act shall be in writing or print, or partly in writing and partly in print, and all notices and documents required by this Act to be served or sent by or to an inspector may be either delivered personally or served and sent by post by a prepaid letter, and, if served or sent by post, shall be deemed to have been served and received respectively at the time when the letter containing the same

would be delivered in the ordinary course of post, and in proving such service or sending it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post.

Interpretation of terms.

72. In this Act, unless the context otherwise requires,—

The term "mine" includes every shaft in the course of being sunk, and every level and inclined plane in the course of being driven for commencing or opening any mine, or for searching for or proving minerals, and all the shafts, levels, planes, works, machinery, tramways, and sidings, both below ground and above ground, in and adjacent to a mine and any such shaft, level, and inclined plane, and belonging to the mine:

The term "shaft" includes pit:

The term "plan" includes a map and section, and a correct copy or tracing of any original plan as so defined:

The term "owner," when used in relation to any mine, means any person or body corporate who is the immediate proprietor, or lessee, or occupier of any mine, or of any part thereof, and does not include a person or body corporate who merely receives a royalty, rent, or fine from a mine, or is merely the proprietor of a mine subject to any lease, grant, or license for the working thereof, or is merely the owner of the soil, and not interested in the minerals of the mine; but any contractor for the working of any mine or any part thereof shall be subject to this Act in like manner as if he were an owner, but so as not to exempt the owner from any liability:

The term "agent," when used in relation to any mine, means any person having, on behalf of the owner, care or direction of any mine, or of any part thereof, and superior to a manager appointed in pursuance of this Act:

The term "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

The term "child" means a child under the age of thirteen years:

The term "young person" means a person of the age of thirteen years and under the age of sixteen years:

The term "woman" means a female of the age of sixteen years and upwards:

The term "Summary Jurisdiction Acts" means, as follows:

As to England, the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the "performance of the duties of justices of the peace out "of sessions within England and Wales with respect

" to summary convictions and orders," and any Acts amending the same:

As to Scotland, "The Summary Procedure Act, 1864:"

As to Ireland, within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, or of the police of such district, and elsewhere, "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same:

The term "Court of Summary Jurisdiction" means—

In England and Ireland, any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts or any Acts therein referred to:

In Scotland, any justice or justices of the peace, sheriff, or other magistrate, to the proceedings before whom for the trial or prosecution of any offence, or for the recovery of any penalty under any Act of Parliament, the provisions of the Summary Jurisdiction Acts may be applied.

Application of Act to Scotland.

73. In the application of this Act to Scotland—

(1.) The term "Attorney General" means the Lord Advocate:

(2.) The term "injunction" means interdict:

(3.) The term "misdemeanour" means "crime and offence:"

(4.) The term "chairman of quarter sessions" means the sheriff of the county:

(5.) The term "sheriff" includes sheriff substitute:

(6.) The term "attending on subpœna before a court of record" means attending on citation the Court of Justiciary:

(7.) The Queen's and Lord Treasurer's Remembrancer shall perform the duties of a master of one of the superior courts under this Act:

(8.) The term "stipendiary magistrate" means a sheriff or sheriff substitute:

(9.) Notices of explosions, accidents, loss of life, or personal injury shall be deemed to be sent to the inspector of the district on behalf of the Lord Advocate:

(10.) Section sixteen of "The Public Health (Scotland) Act, 1867," shall be substituted for "section eight of the "Nuisances Removal Act for England, 1855, as "amended and extended by the Sanitary Act, "1866."

Existing inspectors to continue to act.

74. The persons who at the commencement of this Act are acting as inspectors under the Acts hereby repealed shall continue to act in the same manner as if they had been appointed under this Act.

Continuance of existing special rules.

75. The special rules which at the commencement of this Act are in force under any Act hereby repealed in any mine to which this Act applies shall continue to be the special rules in such mine until special rules are established under this Act for such mine, and while they so continue shall be of the same force as if they were established under this Act.

Repeal of Acts as in Schedule Three.

76. The Acts described in Schedule Three to this Act are hereby repealed to the extent in the third column of that Schedule mentioned.

Provided that this repeal shall not affect anything done or suffered before the commencement of this Act, and all offences committed and penalties incurred before the commencement of this Act may be punished and recovered in the same manner as if this Act had not passed.

SCHEDULES.

SCHEDULE ONE.

Table of maximum Fees to be paid in respect of Certificates of Managers of Mines.

By an applicant for examination - - -	Two pounds.
By applicant for certificate of service for registration	Five shillings.
For copy of certificate - - - -	Five shillings.

SCHEDULE TWO.

Proceedings of Board for Examinations.

1. The board shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning, notice, place, management, and adjournment of such meetings, and generally with respect to the transaction and management of business, including the quorum at meetings of the board, as they think fit, subject to the following conditions :—

(a.) The first meeting shall be summoned by the inspector of the district, and shall be held on such day as may be fixed by a Secretary of State ;

(b.) An extraordinary meeting may be held at any time on the written requisition of three members of the board addressed to the chairman ;

(c.) The quorum to be fixed by the board shall consist of not less than three members ;

(d.) Every question shall be decided by a majority of votes of the members present and voting on that question ;

(e.) The names of the members present, as well as of those voting upon each question, shall be recorded ;

(f.) No business shall be transacted unless notice in writing of such business has been sent to every member of the board seven days at least before the meeting.

2. The board shall from time to time appoint some person to be chairman, and one other person to be vice-chairman.

3. If at any meeting the chairman is not present at the time appointed for holding the same, the vice-chairman shall be the chairman of the meeting, and if neither the chairman nor vice-chairman shall be present, then the members present shall choose some one of their number to be chairman of such meeting.

4. In case of an equality of votes at any meeting, the chairman for the time being of such meeting shall have a second or casting vote.

5. The appointment of an examiner may be made by a minute of the board signed by the chairman.

6. The board shall keep minutes of their proceedings, which may be inspected or copied by a Secretary of State, or any person authorised by him to inspect or copy the same.

SCHEDULE THREE.

Date of Act.	Title of Act.	Extent of Repeal.
5 & 6 Vict. c. 99.	An Act to prohibit the employment of women and girls in mines and collieries, to regulate the employment of boys, and to make other provisions relating to persons working therein.	The whole Act so far as it relates to mines to which this Act applies.
23 & 24 Vict. c. 151.	An Act for the regulation and inspection of mines.	Sections one to five, both inclusive, so far as they relate to mines to which this Act applies, and the residue of the Act entirely.
25 & 26 Vict. c. 79.	An Act to amend the law relating to coal mines.	The whole Act.

SCHEDULE FOUR.

MINES REGULATION AND INSPECTION.

Annual Return from Owner or Agent.

Name of Colliery . . . . . .

Name of Pit . . . . . Name of Seam . . . . . .

Year ending the . . . . day of . . . . . 187 .

Average Number of Persons employed daily.		Mode of Ventilation.	Furnace or Fan, with Description.	Diameter and Depth of downcast and upcast Shafts.				Number of Splits and Quantity.		Average Length of Airways.	Sectional Area of Airways.	Average Total Quantity of fresh Air in cubic feet per minute.
				Downcast.		Upcast.						
Above Ground.	Under Ground.			Diameter in feet.	Depth in feet.	Diameter in feet.	Depth in feet.	Splits.	Quantity in cubic feet per minute.			

CHAPTER 77.

An Act to consolidate and amend the Law relating to Metalliferous Mines. [10th August 1872.]

WHEREAS it is expedient to amend the law relating to the regulation and inspection of mines other than mines to which the Coal Mines Regulation Act, 1872, applies:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as "The Metalliferous Mines Regulation Act, 1872."

Commencement of Act.

2. This Act shall not come into operation until the first day of January one thousand eight hundred and seventy-three, which date is in this Act referred to as the commencement of this Act.

Application of Act.

3. This Act shall apply to every mine of whatever description other than a mine to which the Coal Mines Regulation Act, 1872, applies.

PART I.

Employment of Women, Young Persons, and Children.

Employment of women and children in mines.

4. No boy under the age of twelve years, and no girl or woman of any age, shall be employed in or allowed to be for the purpose of employment in any mine to which this Act applies below ground.

Hours of employment of male young persons in mines.

5. A boy of the age of twelve years and under the age of thirteen years, and a male young person of the age of thirteen and under the age of sixteen years shall not be employed in or allowed to be for the purpose of employment in any mine to which this Act applies below ground for more than fifty-four hours in any one week, or more than ten hours in any one day, or otherwise than in accordance with the regulations following; that is to say,

(1.) There shall be allowed an interval of not less than eight hours between the period of employment on Friday and the period of employment on the following Saturday, and in other cases of not less than twelve hours between each period of employment; provided always, that in the case of boys and young male persons whose employment is at such distance from their ordinary place of residence

that they do not return there during the intervals of labour, and who are not employed during more than forty hours in any week, an interval of not less than eight hours shall be allowed between each period of employment:

(2.) The period of each employment shall be deemed to begin at the time of leaving the surface, and to end at the time of returning to the surface:

(3.) A week shall be deemed to begin at midnight on Saturday night, and to end at midnight on the succeeding Saturday night.

Register to be kept by owner, &c. of boys and male young persons employed in mines.

6. The owner or agent of every mine to which this Act applies shall keep in the office at the mine, or in the principal office of the mine belonging to the same owner in the district in which the mine is situated, a register, and shall cause to be entered in such register the name, age, residence, and date of first employment of all boys of the age of twelve and under the age of thirteen years, and of all male young persons of the age of thirteen and under the age of sixteen years who are employed in the mine below ground, and of all women, young persons, and children employed above ground in connexion with a mine, and shall produce such register to any inspector under this Act at the mine at all reasonable times when required by him, and allow him to inspect and copy the same.

The immediate employer of every boy or male young person of the ages aforesaid, other than the owner or agent of the mine, before he causes such boy or male young person to be in any mine to which this Act applies below ground, shall report to the owner or agent of such mine, or some person appointed by such owner or agent, that he is about to employ him in such mine.

As to employment of young persons under 18 in connexion with engines.

7. Where there is a shaft, inclined plane, or level in any mine to which this Act applies, whether for the purpose of an entrance to such mine or of a communication from one part to another part of such mine, and persons are taken up, down, or along such shaft, plane, or level by means of any engine, windlass, or gin, driven or worked by steam or any mechanical power, or by an animal, or by manual labour, a person shall not be allowed to have charge of such engine, windlass, or gin, or of any part of the machinery, ropes, chains, or tackle connected therewith, unless he is a male of at least eighteen years of age.

Where the engine, windlass, or gin is worked by an animal, the person under whose direction the driver of the animal acts shall, for the purposes of this section, be deemed to be the person in charge of the engine, windlass, or gin, but such driver shall not be under twelve years of age.

8. If any person contravenes or fails to comply with any provision of this Act with respect to the employment of women, girls, young persons, or boys, or to the register of or report respecting boys and male young persons, or to the employment of persons about any engine, windlass, or gin, he shall be guilty of an offence against this Act; and in case of any such contravention or non-compliance by any person whomsoever in the case of any mine, the owner and agent of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this Act to prevent such contravention or non-compliance. Penalty for employment of persons contrary to this Act.

If it appear that a boy or young person or a person employed about an engine, windlass, or gin, was employed on the representation of his parent or guardian that he was of that age at which his employment would not be in contravention of this Act, and under the belief in good faith that he was of that age, the owner or agent of the mine and the immediate employer shall be exempted from any penalty, and the parent or guardian shall, for such misrepresentation, be deemed guilty of an offence against this Act.

Wages.

9. No wages shall be paid to any person employed in or about any mine to which this Act applies at or within any public house, beer shop, or place for the sale of any spirits, wine, beer, cyder, or other spirituous or fermented liquor, or other house of entertainment, or any office, garden, or place belonging or contiguous thereto, or occupied therewith. Prohibition of payment of wages at public houses, &c.

Every person who contravenes or fails to comply with, or permits any person to contravene or fail to comply with, this section shall be guilty of an offence against this Act, and in the event of any such contravention or non-compliance in the case of any mine by any person whomsoever the owner and agent of such mine shall each be guilty of an offence against this Act, unless he prove that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this section to prevent such contravention or non-compliance.

Returns, Notices, and Abandonment.

10. On or before the first day of August in every year the owner or agent of every mine to which this Act applies shall send to the inspector of the district on behalf of a Secretary of State a correct return, specifying, with respect to the year ending on the preceding thirty-first day of December, the quantity of mineral sold or produced from such mine, and the number of persons ordinarily employed in or about such Returns by owners and agents of mine.

mine, below ground and above ground, distinguishing those who are employed below ground and above ground, and distinguishing the different classes and ages of the persons so employed whose hours of labour are regulated by this Act.

The return shall be in such form as may be from time to time prescribed by a Secretary of State, and the inspector of the district on behalf of a Secretary of State shall from time to time on application furnish forms for the purpose of such return.

Every owner or agent of a mine who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act.

Provided that in any mine where not more than twelve persons are employed underground, the returns specifying the quantity of mineral sold or produced from such mine shall be made by the barmaster or other officer, if any, employed to collect the dues or royalty; and where there is such a barmaster or other officer the owner or agent of such mine shall not be required to send any return specifying the number of persons employed in or about such mine.

Notice of accidents in mines to be sent to inspector.

11. Where in or about any mine to which this Act applies, whether above or below ground, either—

(1.) loss of life or any personal injury to any person employed in or about the mine occurs by reason of any explosion of gas, powder, or of any steam boiler; or

(2.) loss of life or any serious personal injury to any person employed in or about the mine occurs by reason of any accident whatever,

the owner or agent of the mine shall, within twenty-four hours next after the explosion or accident, send notice in writing of the explosion or accident and of the loss of life or personal injury occasioned thereby to the inspector of the district on behalf of a Secretary of State, and shall specify in such notice the character of the explosion or accident, and the number of persons killed and injured respectively.

Where any personal injury, of which notice is required to be sent under this section, results in the death of the person injured, notice in writing of the death shall be sent to the inspector of the district on behalf of a Secretary of State within twenty-four hours after such death comes to the knowledge of the owner or agent.

Every owner or agent who fails to act in compliance with this section shall be guilty of an offence against this Act.

Notice of opening and abandonment of mine to be given to inspector.

12. In any of the following cases, namely,

(1.) Where any working is commenced for the purpose of opening a new shaft for any mine to which this Act applies;

(2.) Where a shaft of any mine to which this Act applies is abandoned or the working thereof discontinued;

(3.) Where the working of a shaft of any mine to which this Act applies is recommenced after any abandonment or discontinuance for a period exceeding two months; or,

(4.) Where any change occurs in the name of, or in the name of the owner or agent of, a mine, to which this Act applies, or in the officers of any incorporated company which is the owner of a mine to which this Act applies;

the owner or agent of such mine shall give notice thereof to the inspector of the district within two months after such commencement, abandonment, discontinuance, recommencement, or change, and if such notice is not given, the owner or agent shall be guilty of an offence against this Act.

Provided that--

(1.) This section shall apply only to any working or mine in which more than twelve persons are ordinarily employed below ground; and

(2.) In the case of a partnership working a mine within the stannaries of Devon and Cornwall, if notice of every change in the purser of the partnership is sent as required by this section, notice of a change in the members of such partnership need not be sent in pursuance of this section.

Fencing of abandoned mine.

13. Where any mine to which this Act applies is abandoned or the working thereof discontinued, at whatever time such abandonment or discontinuance occurred, the owner thereof, and every other person interested in the minerals of the mine, shall cause the top of the shaft and any side entrance from the surface to be and to be kept securely fenced for the prevention of accidents.

Provided that—

(1.) Subject to any contract to the contrary, the owner of the mine shall, as between him and any other person interested in the minerals of the mine, be liable to carry into effect this section, and to pay any costs incurred by any other person interested in the minerals of the mine in carrying this section into effect:

(2.) Where such abandonment or discontinuance has occurred in the case of a mine before the passing of this Act, this section shall apply only to such shaft or side entrance of the mine as is situate within fifty yards of any highway, road, footpath, or place of public resort, or in open or unenclosed land, or not being situate as aforesaid, is required

by an inspector in writing to be fenced, on the ground that it is specially dangerous:

(3.) Nothing in this section shall exempt any person from any liability under any other Act, or otherwise.

If any person fail to act in conformity with this section he shall be guilty of an offence against this Act.

Any shaft or side entrance which is not fenced as required by this section, and is within fifty yards of any highway, road, footpath, or place of public resort, or is in open or unenclosed land, or is required by an inspector as aforesaid to be fenced, shall be deemed to be a nuisance within the meaning of section eight of the Nuisances Removal Act for England, 1855, as amended and extended by the Sanitary Act, 1866.

Plans of abandoned mines to be sent to Secretary of State.

14. Where any mine to which this Act applies in which more than twelve persons have ordinarily been employed below ground is abandoned, the owner of such mine at the time of the abandonment shall, within three months after such abandonment, send to a Secretary of State an accurate plan, on a scale of not less than a scale of two chains to one inch, or on such other scale as the plan last used in the mine is constructed on, showing the boundaries of the workings of such mine up to the time of the abandonment, with the view of its being preserved under the care of the Secretary of State; but no person other than an inspector shall be at liberty to inspect or to copy such plan within ten years of its receipt by the Secretary of State without the license of such Secretary of State.

Every person who fails to comply with this section shall be guilty of an offence against this Act.

Inspection.

Appointment of inspectors of mines.

15. A Secretary of State may from time to time appoint any fit persons to be inspectors of mines to which this Act applies, and assign them their duties, and may award them such salaries as the Commissioners of Her Majesty's Treasury may approve, and may remove such inspectors.

Notice of the appointment of every such inspector shall be published in the London Gazette.

Any such inspector is referred to in this Act as an inspector, and the inspector of a district means the inspector who is for the time being assigned to the district or portion of the United Kingdom with reference to which the term is used.

Any person appointed or acting as inspector under The Coal Mines Regulation Act, 1872, if directed by a Secretary of State to act as an inspector under this Act may so act and shall be deemed to be an inspector under this Act.

Disqualification of persons as inspectors.

16. Any person who practises or acts or is a partner of any person who practises or acts as a land agent or mining

engineer, or as a manager, viewer, agent, or valuer of mines, or arbitrator in any differences arising between owners, agents, or managers of mines, or is otherwise employed in or about any mine (whether such mine is one to which this Act applies or not), shall not act as an inspector of mines under this Act.

Powers of inspectors.

17. An inspector under this Act shall have power to do all or any of the following things; namely,

(1.) To make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act relating to matters above ground or below ground are complied with in the case of any mine to which this Act applies:

(2.) To enter, inspect, and examine any mine to which this Act applies, and every part thereof, at all reasonable times by day and night, but so as not to impede or obstruct the working of the said mine:

(3.) To examine into and make inquiry respecting the state and condition of any mine to which this Act applies, or any part thereof, and the ventilation of the mine, and the sufficiency of the special rules (if any) for the time being in force in the mine, and all matters and things connected with or relating to the safety of the persons employed in or about the mine or any mine contiguous thereto:

(4.) To exercise such other powers as may be necessary for carrying this Act into effect.

Every person who wilfully obstructs any inspector in the execution of his duty under this Act, and every owner and agent of a mine who refuses or neglects to furnish to the inspector the means necessary for making any entry, inspection, examination, or inquiry under this Act in relation to such mine, shall be guilty of an offence against this Act.

Notice to be given by inspectors of causes of danger not provided for by the rules.

18. If in any respect (which is not provided against by any express provision of this Act, or by any special rule) any inspector find any mine to which this Act applies, or any part thereof, or any matter, thing, or practice in or connected with any such mine, to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, such inspector may give notice in writing thereof to the owner or agent of the mine, and shall state in such notice the particulars in which he considers such mine, or any part thereof, or any matter, thing, or practice, to be dangerous or defective, and require the same to be remedied; and unless the same be forthwith remedied the inspector shall also report the same to a Secretary of State.

If the owner or agent of the mine objects to remedy the matter complained of in the notice, he may, within twenty days after the receipt of such notice, send his objection in

writing, stating the grounds thereof, to a Secretary of State; and thereupon the matter shall be determined by arbitration in manner provided by this Act; and the date of the receipt of such objection shall be deemed to be the date of the reference.

If the owner or agent fail to comply either with the requisition of the notice, where no objection is sent within the time aforesaid, or with the award made on arbitration, within twenty days after the expiration of the time for objection or the time of making of the award (as the case may be), he shall be guilty of an offence against this Act, and the notice and award shall respectively be deemed to be written notice of such offence.

Provided that the court, if satisfied that the owner or agent has taken active measures for complying with the notice or award, but has not, with reasonable diligence, been able to complete the works, may adjourn any proceedings taken before them for punishing such offence, and, if the works are completed within a reasonable time, no penalty shall be inflicted.

No person shall be precluded by any agreement from doing such acts as may be necessary to comply with the provisions of this section, or be liable under any contract to any penalty or forfeiture for doing such acts.

Plans of mine to be kept.

19. The owner or agent of every mine to which this Act applies shall keep in the office at the mine, or in the principal office of the mines belonging to the same owner in the district in which the mine is situated, an accurate plan of the workings of such mine, showing the workings up to at least six months previously, other than workings which were last discontinued at a date more than twelve months before the commencement of this Act.

The owner or agent of the mine shall produce to an inspector under this Act, at one of the aforesaid offices, such plan, and shall, if requested by the inspector, mark on such plan the progress of the workings of the mine up to the time of such production, and shall allow the inspector to examine the same.

If the owner or agent of any mine fails to keep such plan as is prescribed by this section, or wilfully refuses to produce or allow to be examined such plan, or wilfully withholds any portion of any plan, or conceals any part of the workings of his mine, or produces an imperfect or inaccurate plan, unless he shows that he was ignorant of such concealment, imperfection, or inaccuracy, he shall be guilty of an offence against this Act; and further, the inspector may, by notice in writing (whether a penalty for such offence has or has not been inflicted), require the owner or agent to cause an accurate plan, such as is prescribed by this section, to be made within

a reasonable time, at the expense of the owner of the mine, on a scale of not less than a scale of two chains to one inch, or on such other scale as the plan used in the mine is constructed on.

If the owner or agent fail within twenty days, or such further time as may be shown to be necessary, after the requisition of the inspector, to make or cause to be made such plan, he shall be guilty of an offence against this Act.

Provided that this section shall apply only to a mine to which this Act applies, and in which more than twelve persons are ordinarily employed below ground.

Inspector to make an annual report and special report when directed.

20. Every inspector under this Act shall make an annual report of his proceedings during the preceding year to a Secretary of State, which report shall be laid before both Houses of Parliament.

A Secretary of State may at any time direct an inspector to make a special report with respect to any accident in a mine to which this Act applies, which accident has caused loss of life or personal injury to any person, and in such case shall cause such report to be made public at such time and in such manner as he thinks expedient.

Arbitration.

Provisions as to arbitrations.

21. With respect to arbitrations under this Act, the following provisions shall have effect:

(1.) The parties to the arbitration are in this section deemed to be the owner or agent of the mine on the one hand, and an inspector of mines on behalf of the Secretary of State on the other:

(2.) Each of the parties to the arbitration may, within twenty-one days after the date of the reference, appoint an arbitrator:

(3.) No person shall act as arbitrator or umpire under this Act who is employed in or in the management of or is interested in the mine to which the arbitration relates:

(4.) The appointment of an arbitrator under this section shall be in writing, and notice of the appointment shall be forthwith sent to the other party to the arbitration, and shall not be revoked without the consent of such other party:

(5.) The death, removal, or other change in any of the parties to the arbitration shall not affect the proceedings under this section:

(6.) If within the said twenty-one days either of the parties fail to appoint an arbitrator, the arbitrator appointed by the other party may proceed to hear and determine the matter in difference, and in such case the award of the single arbitrator shall be final:

(7.) If before an award has been made any arbitrator appointed by either party die or become incapable to act, or for fourteen days refuse or neglect to act, the party by whom such arbitrator was appointed may appoint some other person to act in his place; and if he fail to do so within fourteen days after notice in writing from the other party for that purpose, the remaining arbitrator may proceed to hear and determine the matters in difference, and in such case the award of such single arbitrator shall be final:

(8.) In either of the foregoing cases where an arbitrator is empowered to act singly, upon one of the parties failing to appoint, the party so failing may, before the single arbitrator has actually proceeded in the arbitration, appoint an arbitrator, who shall then act as if no failure had been made:

(9.) If the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed or within such extended time (if any) as may have been appointed for that purpose by both arbitrators under their hands, the matter in difference shall be determined by the umpire appointed as herein-after mentioned:

(10.) The arbitrators, before they enter upon the matters referred to them, shall appoint by writing under their hands an umpire to decide on points on which they may differ;

(11.) If the umpire die or become incapable to act before he has made his award, or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the persons or person who appointed such umpire shall forthwith appoint another umpire in his place:

(12.) If the arbitrators fail or refuse or for seven days after the request of either party neglect to appoint an umpire, then on the application of either party an umpire shall be appointed by the chairman of the general or quarter sessions of the peace within the jurisdiction of which the mine is situate:

(13.) The decision of every umpire on the matters referred to him shall be final:

(14.) If a single arbitrator fail to make his award within twenty-one days after the day on which he was appointed, the party who appointed him may appoint another arbitrator to act in his place:

(15.) The arbitrators and their umpire, or any of them may examine the parties and their witnesses on oath, they may also consult any counsel, engineer, or scientific person whom they may think it expedient to consult:

(16.) The payment, if any, to be made to any arbitrator or umpire for his services shall be fixed by the Secretary of State, and together with the costs of the arbitration and award shall be paid by the parties or one of them according as the award may direct. Such costs may be taxed by a master of one of the superior courts, who, on the written application of either of the parties, shall ascertain and certify the proper amount of such costs. The amount, if any, payable by the Secretary of State shall be paid as part of the expenses of inspectors under this Act. The amount, if any, payable by the owner or agent may in the event of nonpayment be recovered in the same manner as penalties under this Act:

(17.) Every person who is appointed an arbitrator or umpire under this section shall be a practical mining engineer, or a person accustomed to the working of mines, but when an award has been made under this section the arbitrator or umpire who made the same shall be deemed to have been duly qualified as provided by this section.

Coroners.

Provisions as to coroners inquests on deaths from accidents in mines.

22. With respect to coroners inquests on the bodies of persons whose death may have been caused by explosions or accidents in mines to which this Act applies, the following provisions shall have effect:

(1.) Where a coroner holds an inquest upon a body of any person whose death may have been caused by any explosion or accident, of which notice is required by this Act to be given to the inspector of the district, the coroner shall adjourn such inquest unless an inspector, or some person on behalf of a Secretary of State, is present to watch the proceedings:

(2.) The coroner, at least four days before holding the adjourned inquest, shall send to the inspector of the district notice in writing of the time and place of holding the adjourned inquest:

(3.) The coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof:

(4.) If an explosion or accident has not occasioned the death of more than one person, and the coroner has sent to the inspector of the district notice of the time and place of holding the inquest not less than forty-eight hours before the time of holding the same, it shall not be imperative on him to adjourn such inquest in pursuance of this section, if the majority of the jury think it unnecessary so to adjourn:

(5.) An inspector shall be at liberty at any such inquest to examine any witness, subject nevertheless to the order of the coroner:

(6.) Where evidence is given at an inquest at which an inspector is not present of any neglect as having caused or contributed to the explosion or accident, or of any defect in or about the mine appearing to the coroner or jury to require a remedy, the coroner shall send to the inspector of the district notice in writing of such neglect or default:

(7.) Any person having a personal interest in or employed in or in the management of the mine in which the explosion or accident occurred shall not be qualified to serve on the jury empannelled on the inquest; and it shall be the duty of the constable or other officer not to summon any person disqualified under this provision, and it shall be the duty of the coroner not to allow any such person to be sworn or to sit on the jury.

Every person who fails to comply with the provisions of this section shall be guilty of an offence against this Act.

PART II.

RULES.

General Rules.

General rules:

23. The following general rules shall, so far as may be reasonably practicable, be observed in every mine to which this Act applies:

Ventilation.

(1.) An adequate amount of ventilation shall be constantly produced in every mine to such an extent that the shafts, winzes, sumps, levels, underground stables, and working places of such mine, and the travelling roads to and from such working places, shall be in a fit state for working and passing therein.

Gunpowder and blasting.

(2.) Gunpowder or other explosive or inflammable substance shall only be used underground in the mine as follows:

(*a.*) It shall not be stored in the mine:

(*b.*) It shall not be taken into the mine, except in a case or canister containing not more than four pounds:

(*c.*) A workman shall not have in use at one time in any one place more than one of such cases or canisters:

(*d.*) In charging holes for blasting, except in mines excepted from the operation of this section by the Secretary of State, an iron or steel pricker shall not be used, and a person shall not have in his possession in the mine underground any iron or steel pricker, and an

iron or steel tamping rod or stemmer shall not be used for ramming either the wadding or the first part of the tamping or stemming on the powder:

(*e.*) A charge of powder which has missed fire shall not be unrammed.

Man-holes in self-acting or engine planes.

(3.) Every underground plane on which persons travel, which is self-acting, or worked by an engine, windlass, or gin, shall be provided (if exceeding thirty yards in length) with some proper means of signalling between the stopping places and the ends of the plane, and shall be provided in every case, at intervals of not more than twenty yards, with sufficient man-holes for places of refuge.

Spaces in horse roads.

(4.) Every road on which persons travel underground, where the produce of the mine in transit exceeds ten tons in any one hour over any part thereof, and where the load is drawn by a horse or other animal, shall be provided, at intervals of not more than one hundred yards, with sufficient spaces for places of refuge, each of which spaces shall be of sufficient length, and of at least three feet in width between the waggons running on the tramroad and the side of the road; and the Secretary of State may, if he see fit, require the inspector to certify whether the produce of the mine in transit on the road aforesaid does or does not ordinarily exceed the weight as aforesaid.

Keeping spaces clear.

(5.) Every man-hole and space for a place of refuge shall be constantly kept clear, and no person shall place anything in a man-hole or such space so as to prevent access thereto.

Fencing of old shafts.

(6.) The top of every shaft which was opened before the commencement of the actual working for the time being of the mine and has not been used during such actual working shall, if so required in writing by the inspector of the district, be securely fenced, and the top of every other shaft which for the time being is out of use, or used only as an air shaft, shall be securely fenced.

Fencing of entrances to shafts.

(7.) The top and all entrances between the top and bottom of every working or pumping shaft shall be properly fenced, but this shall not be taken to forbid the temporary removal of the fence for the purpose of repairs or other operations, if proper precautions are used.

Securing of shafts.

(8.) Where the natural strata are not safe, every working or pumping shaft shall be securely cased, lined, or otherwise made secure.

Division of shaft.

(9.) Where one portion of a shaft is used for the ascent and descent of persons by ladders or a man-engine, and another portion of the same shaft is used for raising the material gotten in the mine, the first-mentioned portion shall be cased or otherwise securely fenced off from the last-mentioned portion.

Signalling.

(10.) Every working shaft in which persons are raised shall, if exceeding fifty yards in depth, and not exempted in

writing by the inspector of the district, be provided with guides and some proper means of communicating distinct and definite signals from the bottom of the shaft and from every entrance for the time being in work between the surface and the bottom of the shaft to the surface, and from the surface to the bottom of the shaft and to every entrance for the time being in work between the surface and the bottom of the shaft.

Cover overhead.

(11.) A sufficient cover overhead shall be used when lowering or raising persons in every working shaft, except where it is worked by a windlass, or where the person is employed about the pump or some work of repair in the shaft, or where a written exemption is given by the inspector of the district.

Chains.

(12.) A single linked chain shall not be used for lowering or raising persons in any working shaft or plane except for the short coupling chain attached to the cage or load.

Slipping of rope on drum.

(13.) There shall be on the drum of every machine used for lowering or raising persons such flanges or horns, and also if the drum is conical, such other appliances, as may be sufficient to prevent the rope from slipping.

Break.

(14.) There shall be attached to every machine worked by steam, water, or mechanical power, and used for lowering or raising persons, an adequate break, and also a proper indicator (in addition to any mark on the rope) which shows to the person who works the machine the position of the cage or load in the shaft.

Inclination of ladders.

(15.) A ladder permanently used for the ascent or descent of persons in the mine shall not be fixed in a vertical or overhanging position, and shall be inclined at the most convenient angle which the space in which the ladder is fixed allows, and every such ladder shall have substantial platforms at intervals of not more than twenty yards.

Dressing room.

(16.) If more than twelve persons are ordinarily employed in the mine below ground, sufficient accommodation shall be provided above ground near the principal entrance of the mine, and not in the engine-house or boiler house, for enabling the persons employed in the mine to conveniently dry and change their dresses.

Fencing machinery.

(17.) Every fly-wheel and all exposed and dangerous parts of the machinery used in or about the mine shall be and be kept securely fenced.

Gauges to boilers and safety valve.

(18.) Every steam boiler shall be provided with a proper steam gauge and water gauge, to show respectively the pressure of steam and the height of water in the boiler, and with a proper safety valve.

Wilful damage.

(19.) No person shall wilfully damage, or without proper authority remove or render useless, any fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, break, indicator, ladder, platform, steam gauge, water gauge,

safety valve, or other appliance or thing provided in any mine in compliance with this Act.

Every person who contravenes or does not comply with any of the general rules in this section shall be guilty of an offence against this Act, and in the event of any contravention of or non-compliance with any of the said general rules in the case of any mine to which this Act applies, by any person whomsoever, being proved, the owner and agent of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine to prevent such contravention or non-compliance.

Special Rules.

Special rules.

24. The owner or agent of any mine to which this Act applies may, if he think fit, transmit to the inspector of the district, for approval by a Secretary of State, rules (referred to in this Act as special rules) for the conduct and guidance of the persons acting in the management of such mine or employed in or about the same, so as to prevent dangerous accidents, and to provide for the safety and proper discipline of the persons employed in or about the mine and such special rules, when established, shall be signed by the inspector who is inspector of the district at the time such rules are established, and shall be observed in and about every such mine in the same manner as if they were enacted in this Act.

If any person who is bound to observe the special rules established for any mine acts in contravention of or fails to comply with any of such special rules, he shall be guilty of an offence against this Act, and also the owner and agent of such mine shall each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine to prevent such contravention or non-compliance.

Establishment of special rules.

25. The proposed special rules, together with a printed notice specifying that any objection to such rules on the ground of anything contained therein or omitted therefrom may be sent by any of the persons employed in the mine to the inspector of the district, at his address, stated in such notice, shall, during not less than two weeks before such rules are transmitted to the inspector, be posted up in like manner as is provided in this Act respecting the publication of special rules for the information of persons employed in the mine, and a certificate that such rules and notice have been so posted up shall be sent to the inspector with the rules signed by the person sending the same.

If the rules are not objected to by the Secretary of State within forty days after their receipt by the inspector they shall be established.

If the owner or agent makes any false statement with respect to the posting up of the rules and notices he shall be guilty of an offence against this Act.

Secretary of State may object to special rules.

26. If the Secretary of State is of opinion that the proposed special rules so transmitted, or any of them, do not sufficiently provide for the prevention of dangerous accidents in the mine, or for the safety of the persons employed in or about the mine, or are unreasonable, he may, within forty days after the rules are received by the inspector, object to the rules, and propose to the owner or agent in writing any modifications in the rules by way either of omission, alteration, substitution, or addition.

If the owner or agent do not, within twenty days after the modifications proposed by the Secretary of State are received by him, object in writing to them, the proposed special rules, with such modifications, shall be established.

If the owner or agent sends his objection in writing within the said twenty days to the Secretary of State, the matter shall be referred to arbitration, and the date of the receipt of such objection by the Secretary of State shall be deemed to be the date of the reference, and the rules shall be established as settled by an award on arbitration.

Amendment of special rules.

27. After special rules are established under this Act in any mine, the owner or agent of such mine may from time to time propose in writing to the inspector of the district for the approval of a Secretary of State any amendment of such rules or any new special rules, and the provisions of this Act with respect to the original special rules shall apply to all such amendments and new rules in like manner, as near as may be, as they apply to the original rules.

A Secretary of State may from time to time propose in writing to the owner or agent of a mine in which there are no special rules, any special rules, and to the owner or agent of a mine in which there are special rules, any new special rules, or any amendment to such special rules, and the provisions of this Act with respect to a proposal of the Secretary of State for modifying the special rules transmitted by the owner or agent of a mine shall apply to all such proposed special rules, new special rules, and amendments in like manner, as near as may be, as they apply to such proposal.

Publication of rules.

28. For the purpose of making known the special rules (if any) and the provisions of this Act to all persons employed in and about each mine to which this Act applies, an abstract of the Act supplied, on the application of the owner or agent of the mine, by the inspector of the district on behalf of a

Secretary of State, and an entire copy of the special rules (if any) shall be published as follows:

(1.) The owner or agent of such mine shall cause such abstract and rules (if any), with the name and address of the inspector of the district, and the name of the owner or agent appended thereto, to be posted up in legible characters, in some conspicuous place at or near the mine, where they may be conveniently read by the persons employed; and so often as the same become defaced, obliterated, or destroyed, shall cause them to be renewed with all reasonable despatch:

(2.) The owner or agent shall supply a printed copy of the abstract and the special rules (if any) gratis to each person employed in or about the mine who applies for such copy at the office at which the persons immediately employed by such owner or agent are paid:

(3.) Every copy of the special rules shall be kept distinct from any rules which depend only on the contract between the employer and employed.

If any owner or agent fail to act in compliance with this section he shall be guilty of an offence against this Act, but the owner shall not be deemed guilty if he prove that he has taken all reasonable means, by enforcing the observance of this section, to prevent such non-compliance.

Punishment for defacing notices.

29. Every person who pulls down, injures, or defaces any proposed special rules, notice, abstract, or special rules when posted up in pursuance of the provisions of this Act with respect to special rules, or any notice posted up in pursuance of the special rules, shall be guilty of an offence against this Act.

Certified copy of special rules to be evidence.

30. An inspector under this Act shall, when required, certify a copy which is shown to his satisfaction to be a true copy of any special rules which for the time being are established under this Act in any mine, and a copy so certified shall be evidence (but not to the exclusion of other proof) of such special rules and of the fact that they are duly established under this Act, and have been signed by the inspector.

PART III.

SUPPLEMENTAL.

Penalties.

Penalty for offences against Act.

31. Every person employed in or about a mine, other than an owner or agent, who is guilty of any act or omission which in the case of an owner or agent would be an offence against

this Act, shall be deemed to be guilty of an offence against this Act.

Every person who is guilty of an offence against this Act shall be liable to a penalty not exceeding, if he is an owner or agent, twenty pounds, and if he is any other person two pounds, for each offence; and if an inspector has given written notice of any such offence, to a further penalty not exceeding one pound for every day after such notice that such offence continues to be committed.

Imprisonment for wilful neglect endangering life or limb.

32. Where a person who is an owner or agent or a person employed in or about a mine is guilty of any offence against this Act which, in the opinion of the court that tries the case, is one which was reasonably calculated to endanger the safety of the persons employed in or about the mine, or to cause serious personal injury to any of such persons, or to cause a dangerous accident, and was committed wilfully by the personal act, personal default, or personal negligence of the person accused, such person shall be liable, if the court is of opinion that a pecuniary penalty will not meet the circumstances of the case, to imprisonment, with or without hard labour, for a period not exceeding three months.

If any person feel aggrieved by any conviction made by a court of summary jurisdiction on determining any information under this Act, by which conviction imprisonment is adjudged in pursuance of this section, or by which conviction the sum adjudged to be paid amounts to or exceeds half the maximum penalty, the person so aggrieved may appeal therefrom, subject to the conditions and regulations following:

(1.) The appeal shall be made to the next court of general or quarter sessions for the county, division, or place in which the cause of appeal has arisen, holden not less than twenty-one days after the decision of the court from which the appeal is made:

(2.) The appellant shall, within seven days after the cause of appeal has arisen, give notice to the other party and to the court of summary jurisdiction of his intention to appeal, and of the ground thereof:

(3.) The appellant shall, immediately after such notice, enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or give such other security by deposit of money or otherwise as the justice may allow:

(4.) The justice may, if he think fit, on the appellant entering into such recognizance or giving such other security as aforesaid, release him from custody:

(5.) The court of appeal may adjourn the appeal, and upon the hearing thereof they may confirm, reverse, or

modify the decision of the court of summary jurisdiction, or remit the matter to the court of summary jurisdiction with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just. The court of appeal may also make such order as to costs to be paid by either party as the court thinks just:

Provided that in Scotland—

(1.) This section shall not apply to any conviction made by a sheriff:

(2.) The term "entering into a recognizance before a justice of the peace" shall mean finding caution with the clerk of the justices of the peace to the satisfaction of a justice of the peace, and the term "recognizance" shall mean a bond of caution:

(3.) It shall be competent to any person empowered to appeal by this section, to appeal against a conviction by a sheriff to the next circuit court, or where there are no circuit courts to the high court of justiciary at Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, chapter forty-three and any Acts amending the same, as relate to appeals in matters criminal, and by and under the rules, limitations, conditions, and restrictions contained in the said provisions.

Summary proceedings for offences, penalties, &c.

33. All offences and penalties under this Act, and all money and costs by this Act directed to be recovered as penalties, may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts before a court of summary jurisdiction.

The "Court of Summary Jurisdiction," when hearing and determining an information or complaint, shall be constituted—

(*a.*) In England, either of two or more justices of the peace in petty sessions sitting at a place appointed for holding petty sessions, or of some magistrate or officer for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace and sitting alone or with others at some court or other place appointed for the administration of justice; or,

(*b.*) In Scotland, of two or more justices of the peace sitting as judges in a justice of the peace court, or of the sheriff or some other magistrate or officer for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace, and sitting alone or with others at some court or other place appointed for the administration of justice; or

(*c.*) In Ireland, within the police district of Dublin metropolis, of one of the divisional justices of that district sitting at a police court within the district, and elsewhere of two or more justices of the peace sitting in petty sessions at a place appointed for holding petty sessions.

General provisions as to summary proceedings.

34. In every part of the United Kingdom the following provisions shall have effect:

1. Any complaint or information made or laid in pursuance of this Act shall be made or laid within three months from the time when the matter of such complaint or information respectively arose:
2. The description of any offence under this Act in the words of this Act shall be sufficient in law:
3. Any exception, exemption, proviso, excuse, or qualification, whether it does or not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information, and if so specified or negatived, no proof in relation to the matters so specified or negatived shall be required on the part of the informant:
4. The owner or agent may, if he think fit, be sworn and examined as an ordinary witness in the case where he is charged in respect of any contravention or non-compliance by another person:
5. The court shall, if required by either party, cause minutes of the evidence to be taken and preserved.

Prosecution for offences.

35. No prosecution shall be instituted against the owner or agent of a mine to which this Act applies for any offence under this Act which can be prosecuted before a court of summary jurisdiction, except by an inspector or with the consent in writing of a Secretary of State; and in the case of any offence of which the owner or agent of a mine is not guilty, if he proves that he had taken all reasonable means to prevent the commission thereof, an inspector shall not institute any prosecution against such owner or agent, if satisfied that he had taken such reasonable means as aforesaid.

Summary proceedings for offences in Scotland.

36. In Scotland the following provisions shall have effect:

(1.) All jurisdictions, powers, and authorities necessary for the court of summary jurisdiction under this Act are hereby conferred on that court:

(2.) Every person found liable under this Act in any penalty, or to pay any money or costs by this Act directed to be recovered as penalties, shall be liable in default of immediate payment to be imprisoned for a term not exceeding three months, and the conviction and warrant may be in the form of No. 3 of Schedule K. of the Summary Procedure Act, 1864.

37. Nothing in this Act shall prevent any person from being indicted or liable under any other Act or otherwise to any other or higher penalty or punishment than is provided for any offence by this Act, so that no person be punished twice for the same offence. Persons not to be punished twice for the same offence.

If the court before whom a person is charged with an offence under this Act think that proceedings ought to be taken against such person for such offence under any other Act or otherwise, the court may adjourn the case to enable such proceedings to be taken.

38. Where a penalty is imposed under this Act for neglecting to send a notice of any explosion or accident or for any offence against this Act which has occasioned loss of life or personal injury, the Secretary of State may (if he think fit) direct such penalty to be paid to or distributed among the persons injured, and the relatives of any persons whose death may have been occasioned by such explosion, accident, or offence, or among some of them: Application of penalties.

Provided that—

(1.) Such persons did not in his opinion occasion or contribute to occasion the explosion or accident, and did not commit and were not parties to committing the offence:

(2.) The fact of such payment or distribution shall not in any way affect or be receivable as evidence in any legal proceeding relative to or consequential on such explosion, accident, or offence:

Save as aforesaid, all penalties imposed in pursuance of this Act shall be paid into the receipt of Her Majesty's Exchequer, and shall be carried to the Consolidated Fund.

In Ireland all penalties imposed and recovered under this Act shall be applied in manner directed by the Fines Act (Ireland), 1851, and any Act amending the same.

Miscellaneous.

39. If any question arises whether a mine is a mine to which this Act, or the Coal Mines Regulation Act, 1872, applies, such question shall be referred to a Secretary of State, whose decision thereon shall be final. As to question whether mine is a mine under this Act.

40. All notices under this Act shall be in writing or print, or partly in writing and partly in print, and all notices and documents required by this Act to be served or sent by or to an inspector or Secretary of State may be either delivered personally, or served and sent by post, by a prepaid letter, and if served or sent by post shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending, it shall be Notices may be served by post.

sufficient to prove that the letter containing the notice was properly addressed and put into the post.

Interpretation of terms.

41. In this Act, unless the context otherwise requires,—

The term "mine" includes every shaft in the course of being sunk, and every level and inclined plane in the course of being driven for commencing or opening any mine, or for searching for or proving minerals, and all the shafts, levels, planes, works, machinery, tramways, and sidings, both below ground and above ground, in and adjacent to a mine, and any such shaft, level, and inclined plane, and belonging to the mine:

The term "shaft" includes pit:

The term "plan" includes a map and section, and a correct copy or tracing of any original plan as so defined:

The term "owner" when used in relation to any mine means any person or body corporate who is the immediate proprietor, or lessee, or occupier of any mine, or of any part thereof, and does not include a person or body corporate who merely receives a royalty, rent, or fine from a mine, or is merely the proprietor of a mine subject to any lease, grant, or license for the working thereof, or is merely the owner of the soil and not interested in the minerals of the mines:

The term "agent" when used in relation to any mine means any person having, on behalf of the owner, care or direction of any mine, or of any part thereof:

The term "Secretary of State" means one of Her Majesty's Principal Secretaries of State:

The term Summary Jurisdiction Acts means as follows:

As to England, the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the "performance of the duties of justices of the peace out "of sessions within England and Wales with respect "to summary convictions and orders," and any Acts amending the same:

As to Scotland, "The Summary Procedure Act, 1864:"

As to Ireland, within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, or of the police of such district; and elsewhere, "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same:

The term "Court of Summary Jurisdiction" means—

In England and Ireland, any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts or any Acts therein referred to:

In Scotland, any justice or justices of the peace, sheriff, or other magistrate, to the proceedings before whom for the trial or prosecution of any offence, or for the recovery of any penalty under any Act of Parliament, the provisions of the Summary Jurisdiction Acts may be applied.

Application of Act to Scotland.

42. In the application of this Act to Scotland—

(1.) The term "chairman of quarter sessions" means the sheriff of the county:

(2.) The term "sheriff" includes "sheriff substitute:"

(3.) The Queen's and Lord Treasurer's Remembrancer shall perform the duties of a Master of one of the Superior Courts under this Act:

(4.) Notices of explosions, accidents, and loss of life, or personal injury shall be deemed to be sent to the inspector of the district on behalf of the Lord Advocate:

(5.) Section sixteen of "The Public Health (Scotland) Act, 1867," shall be substituted for "section eight of the Nuisances Removal Act for England, 1855," as amended and extended by the Sanitary Act, 1866.

Application of Act to the Isle of Man.

43. This Act shall apply to the Isle of Man, with the following modifications:

(1.) The term "chairman of quarter sessions" means the governor, lieutenant governor, or deputy governor of the said Isle for the time being:

(2.) The clerk of the rolls shall perform the duties of a master of one of the superior courts under this Act:

(3.) The law of the said Isle as to the abatement or removal of nuisances affecting the health of Her Majesty's subjects shall be substituted for section eight of "The Nuisances Removal Act for England, 1855," as amended and extended by "The Sanitary Act, 1866."

Existing inspectors to continue to act.

44. The persons who at the commencement of this Act are acting as inspectors under any Act hereby repealed shall continue to act in the same manner as if they had been appointed under this Act.

Repeal of Acts in Schedule.

45. The Acts described in the Schedule to this Act are hereby repealed, so far as they are not repealed by the Coal Mines Regulation Act, 1872.

Provided that this repeal shall not affect anything done or suffered before the commencement of this Act, and all offences committed and penalties incurred before the commencement of this Act may be punished and recovered in the same manner as if this Act had not passed.

SCHEDULE.

Date of Act.	Title of Act.
5 & 6 Vict. c. 99. - -	An Act to prohibit the employment of women and girls in mines and collieries, to regulate the employment of boys, and to make other provisions relating to persons working therein.
23 & 24 Vict. c. 151. -	An Act for the regulation and inspection of mines.

CHAPTER 78.

An Act for the Protection of certain Wild Birds during the Breeding Season. [10th August 1872.]

WHEREAS it is expedient to provide for the protection of certain wild birds of the United Kingdom during the breeding season:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Definition of terms.

1. That the words "wild bird" shall for all the purposes of this Act be deemed to include the birds specified in the schedule to this Act; the word "sheriff" shall include steward and also sheriff substitute and steward substitute.

Season during which certain wild birds shall not be killed.

Penalty.

2. Any person who shall knowingly or with intent kill, wound, or take any wild bird, or shall expose or offer for sale any wild bird recently killed, wounded, or taken, between the fifteenth day of March and the first day of August in any year shall, on conviction of any such offence before any justice or justices of the peace in England or Ireland, or before the sheriff or any justice or justices of the peace in Scotland, for a first offence be reprimanded and discharged on payment of costs and summons, and for every subsequent offence forfeit and pay for every such wild bird so killed, wounded, or taken, or so exposed or offered for sale, such sum of money as including costs of conviction shall not exceed five shillings, as to the said justice, justices, or sheriff shall seem meet, unless he shall prove to the satisfaction of the said justice, justices, or sheriff that the said wild bird was or were bought or received on or before the said fifteenth day of March, or of or from some person or persons residing out of the United Kingdom: Provided nevertheless, that every summons issued under this Act shall specify the kind of wild bird in respect

of which an offence has been committed, and that not more than one summons shall be issued for the same offence.

Persons offending against this Act may be required to give their names and abodes.

3. Where any person shall be found offending against this Act, it shall be lawful for any person to require the person so offending to give his Christian name, surname, and place of abode, and in case the person offending shall, after being so required, refuse to give his real name or place of abode, or give an untrue name or place of abode, he shall be liable, on being convicted of any such offence before a justice of the peace or the sheriff, to forfeit and pay, in addition to the penalties imposed by section two, such sum of money not exceeding ten shillings as to the convicting justice or sheriff shall seem meet.

Penalty for refusing.

As to trial of offences committed within the Admiralty jurisdiction.

4. All offences mentioned in this Act, which shall be committed within the jurisdiction of the Admiralty, shall be deemed to be offences of the same nature and liable to the same punishments as if they had been committed upon any land in the United Kingdom, and may be dealt with, inquired of, tried, and determined in any county or place in the United Kingdom, in which the offender shall be apprehended or be in custody, in the same manner in all respects as if they had been actually committed in that county or place; and in any information or conviction for any such offence, the offence may be averred to have been committed "on the high seas," and in Scotland any offence committed against this Act on the sea coast, or at sea beyond the ordinary jurisdiction of any sheriff or justice of the peace, shall be held to have been committed in any county abutting on such sea coast, or adjoining such sea, and may be tried and punished accordingly.

Jurisdiction where offences committed on boundary waters.

5. Where any offence under this Act is committed in or upon any waters forming the boundary between any two counties, districts of quarter sessions or petty sessions, such offence may be prosecuted before any justice or justices of the peace or sheriff in either of such counties or districts.

SCHEDULE.

Avocet.	Dunbird.	Landrail.
Bittern.	Dunlin.	Lapwing.
Blackcap.	Flycatcher.	Mallard.
Chiffchaff.	Godwit.	Martin.
Coot.	Golden-crested Wren.	Moor (or Water) Hen.
Creeper.	Goldfinch.	Nightingale.
Crossbill.	Greenshank.	Nightjar.
Cuckoo.	Hawfinch or Grosbeak.	Nuthatch.
Curlew.	Hedgesparrow.	Owl.
Dotterel.	Kingfisher.	Oxbird.

Pewit.	Shoveller.	Wagtail.
Phalerope.	Siskin.	Warbler (Dartford).
Pipit.	Snipe.	Warbler (Reed).
Plover.	Spoonbill.	Warbler (Sedge).
Ploverspage.	Stint.	Whaup.
Pochard.	Stonecurlew.	Wheatear.
Purre.	Stonechat.	Whinchat.
Quail.	Stonehatch.	Whimbrell.
Redpoll.	Summer Snipe.	Widgeon.
Redshank.	Swallow.	Woodcock.
Redstart.	Swan.	Wild Duck.
Robin Redbreast.	Swift.	Woodlark.
Ruff and Reeve.	Teal.	Woodpecker.
Sanderling.	Thicknee.	Woodwren.
Sand Grouse.	Titmouse, Long-tailed.	Wren.
Sandpiper.	Titmouse, Bearded.	Wryneck.
Sealark.		

CHAPTER 79.

An Act to amend the Law relating to Public Health. [10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited for all purposes as the Public Health Act, 1872.

Application of Act.

2. This Act shall not apply to Scotland or Ireland, nor, except in so far as is by this Act expressly provided, to the Metropolis.

Sanitary Authorities.

Urban and rural sanitary districts.

3. From and after the passing of this Act England shall be divided into sanitary districts to be called respectively—

(1.) Urban sanitary districts; and

(2.) Rural sanitary districts;

and such urban and rural sanitary districts shall respectively be subject to the jurisdiction of local authorities, in this Act called urban sanitary authorities and rural sanitary authorities, invested with the powers in this Act mentioned.

Description of urban sanitary districts and urban

4. Urban sanitary districts shall consist of the places in that behalf mentioned in the first column of the table in this section contained, and urban sanitary authorities shall be the

several bodies of persons specified in the second column of the said table in relation to the said places respectively. sanitary authorities.

TABLE above referred to.

Urban Sanitary District.	Urban Sanitary Authority.
Borough constituted such either before or after the passing of this Act.	The Mayor, Aldermen, and Burgesses acting by the Council.
Improvement Act district constituted such before the passing of this Act, and having no part of its area situated within a borough or Local Government district.	The Improvement Commissioners.
Local Government district constituted such either before or after the passing of this Act, having no part of its area situated within a borough, and not coincident in area with a borough or Improvement Act district.	The Local Board.

Provided that—

(1.) Any borough, the whole of which is included in and forms part of a Local Government district or Improvement Act district, and any Improvement Act district which is included in and forms part of a Local Government district, and any Local Government district which is included in and forms part of an Improvement Act district, shall for sanitary purposes be deemed to be absorbed in the larger district in which it is included, or of which it forms part; and the improvement commissioners or local board, as the case may be, of such larger district, shall be the sanitary authority therein; and

(2.) Where a Borough or an Improvement Act district is coincident in area with a Local Government district, such Borough or Improvement Act district shall be an urban sanitary district, and the council or improvement commissioners, having jurisdiction over such borough or district, and not a local board, shall be the sanitary authority:

(3.) Where any part of an Improvement Act district is situated within a borough or Local Government district, or where any part of a Local Government district is situated within a borough, the remaining part of such Improvement Act district or Local Government district shall continue subject to the like jurisdiction for sanitary purposes as it would have been subject to if this Act had not passed, unless and until the Local Government Board by provisional order otherwise directs.

For the purposes of this Act, the boroughs of Oxford, Cambridge, Blandford, Calne, Wenlock, Folkestone, and Newport, Isle of Wight, shall not be deemed to be boroughs, and the borough of Cambridge shall be deemed to be an Improvement Act district, and the borough of Oxford to be included in the Local Government district of Oxford. The Cambridge Commissioners described in section thirty-one of the Public Health Act, 1848, shall not exercise any fresh powers of rating or borrowing conferred upon them by this Act until the expiration of one year after the passing thereof, unless with the assent of the University first specified in writing under the hand of the Vice-Chancellor, and with the assent of the Town Council of Cambridge; and so much of the borough of Folkestone as is not included within the Local Government district of Sandgate shall be an urban sanitary district, and shall be under the jurisdiction, for sanitary purposes, of the authority for executing "The Folkestone Improvement Act, 1855."

Description of rural sanitary districts and rural sanitary authorities.

5. A rural union in this section means any union which is not coincident in area with an urban sanitary district, nor wholly included in an urban sanitary district.

The area of a rural union, with the exception of those portions (if any) of the area which are included in urban sanitary districts, shall form a rural sanitary district, and the guardians of the union shall form the rural sanitary authority of such district, with the following exceptions; that is to say,

(1.) No elective guardian of any parish belonging to such union, and forming or being wholly included within an urban sanitary district, shall act or vote in any case in which guardians of such union act or vote in their capacity of members of the rural sanitary authority.

(2.) Where part of a parish belonging to a rural union forms or is situated in an urban sanitary district, the Local Government Board may, by order, divide such parish into separate wards and determine the number of guardians to be elected by such wards respectively in such manner as to provide for the due representation of the part of the parish lying within the rural sanitary district; but until such order has been made the guardian or guardians of such parish may act and vote as members of the rural sanitary authority in the same manner as if no part of such parish formed part of or was situated in an urban sanitary district:

(3.) An ex-officio guardian resident in any parish or part of a parish belonging to such union, which parish or part of a parish forms or is situated in an urban

sanitary district, shall not act or vote in any case in which guardians of such union act or vote in their capacity of members of the rural sanitary authority, unless he is the owner or occupier of property situated in the rural sanitary district of a value sufficient to qualify him as an elective guardian for the union.

First meeting of sanitary authority.

6. The first meeting of a sanitary authority under this Act shall be held within twenty-eight days after the passing of this Act, or at such other time as may be directed by order of the Local Government Board.

Powers and duties of urban sanitary authority.

7. Subject to the provisions of this Act, the Local Government Acts shall be deemed to be in force within the district of every urban sanitary authority, and from and after the first meeting of an urban sanitary authority in pursuance of this Act there shall be transferred and attach to an urban sanitary authority, to the exclusion of any other authority which may have previously exercised or been subject to the same;—All powers, rights, duties, capacities, liabilities, and obligations within such district exerciseable or attaching by and to a local board under the Local Government Acts, and by and to the sewer authority under the Sewage Utilization Acts, and by and to the nuisance authority under the Nuisances Removal Acts, and by and to the local authority under the Common Lodging Houses Acts, the Artizans and Labourers Dwellings Act, and the Bakehouse Regulation Act, or by and to any of the said authorities under any of such Acts, or any Acts amending such Acts.

Where the Baths and Washhouses Acts and the Labouring Classes Lodging Houses Acts or any of them are in force within the district of any urban sanitary authority, such authority shall have all powers, rights, duties, capacities, liabilities, and obligations in relation to such Acts exerciseable by or attached to the council, incorporated commissioners, local board, improvement commissioners, and other commissioners or persons acting in the execution of the said Acts or any of them.

Where the Baths and Washhouses Acts are not in force within the district of any urban sanitary authority, such urban sanitary authority may adopt such Acts, and where the Labouring Classes Lodging Houses Acts are not in force within the district of any urban sanitary authority, such urban sanitary authority may adopt such Acts.

Powers and duties of rural sanitary authority.

8. Subject to the provisions of this Act, and from and after the first meeting of a rural sanitary authority in pursuance of this Act, there shall be transferred and attach to a rural sanitary authority, to the exclusion of any other authority which may have previously exercised or been subject to the

same, all powers, rights, duties, capacities, liabilities, and obligations within such district exerciseable or attaching by and to the sewer authority under the Sewage Utilization Acts, and by and to the nuisance authority under the Nuisances Removal Acts, and by and to the local authority under the Common Lodging Houses Acts, the Diseases Prevention Act, and the Bakehouse Regulation Act, or by and to any of the said authorities under any of such Acts, or any Acts amending such Acts.

Transfer of property to sanitary authority, and effect of transfer of property and powers.

9. From and after the first meeting of the sanitary authority of a sanitary district, all such property, real and personal, including all interest, easements, and rights in, to, and out of property, real and personal (including things in action), as belongs to, or is vested in, or would but for this Act have belonged to or been vested in, any authority whose powers, rights, duties, capacities, liabilities, and obligations are transferred to the sanitary authority, shall, so far as such property is applicable to and for the purposes of any such powers, rights, duties, liabilities, capacities, or obligations, pass to and vest in the sanitary authority, subject to all debts, liabilities, and obligations affecting the property so transferred.

All debts, liabilities, and obligations incurred by the authority whose powers, rights, duties, liabilities, capacities, and obligations are so transferred may be enforced against the sanitary authority to the same extent and in the same manner as they might have been enforced against the authority from which such transfer has taken place, and such last-mentioned authority shall be deemed to be discharged from such debts, liabilities, and obligations.

All property by this section transferred to a sanitary authority shall be held by it upon trust for the district or several parishes or places respectively within its jurisdiction to which such property belonged, or for the benefit of which such property was held previously to its transfer.

Officer of health and other officers to be appointed by sanitary authorities.

10. It shall be the duty of every urban sanitary authority to appoint from time to time a medical officer of health being a legally qualified medical practitioner.

It shall be the duty of every rural sanitary authority to appoint from time to time a medical officer or officers of health, being qualified as aforesaid, an inspector or inspectors of nuisances, a clerk, and a treasurer, and such other officers and servants as it may deem necessary for the efficient execution of the purposes of the Sanitary Acts; and the appointments of medical officers of health and inspectors of nuisances first made after the passing of this Act shall be for a period not exceeding five years.

The Local Government Board shall have the same powers as they have in the case of a district medical officer of a union with regard to the qualification, appointment, duties,

salary, and tenure of office of a medical officer of health or other officer of a sanitary authority, any portion of whose salary is paid out of moneys voted by Parliament.

The same person may, with the sanction of the Local Government Board, be appointed the medical officer of health, or the inspector of nuisances for two or more sanitary districts, by the joint or several appointment of the sanitary authorities of such districts, and with the like sanction any district medical officer of a union may be appointed a medical officer of health.

A medical officer of health may exercise any of the powers with which an inspector of nuisances is invested by the Sanitary Acts or any of them.

Repeal of section 4 of Artizans and Labourers Dwellings Act, 1868.

11. The fourth section of "The Artizans and Labourers Dwellings Act, 1868," is hereby repealed, and all powers and duties conferred and imposed on officers of health under the said Act shall be exercised and performed by the medical officers of health from time to time appointed under the Sanitary Acts or this Act or any Local Act.

Clerk and treasurer of certain authorities.

12. Where the council of a borough or improvement commissioners, having been previously to the passing of this Act a local board, have appointed, in their capacity of local board, a different person as clerk or treasurer from the person who is their clerk or treasurer in their capacity of council or improvement commissioners, the clerk or treasurer so appointed by them shall continue to hold his office upon the terms upon which he held the same at the passing of this Act, but on such clerk or treasurer vacating the office it shall be discontinued as a separate office, and the person for the time acting as clerk or treasurer to such council or improvement commissioners, in their capacity of council or improvement commissioners, shall perform the duties of clerk or treasurer under the Sanitary Acts, with such additional remuneration as the council or improvement commissioners may determine.

The clerk and treasurer of the union shall be the clerk and treasurer of the rural sanitary authority having jurisdiction in such union, but there may be awarded to such clerk and treasurer, in respect of their additional duties under the Sanitary Acts, such remuneration as the rural sanitary authority may, with the approval of the Local Government Board, determine.

Appointment of committees by rural sanitary authority.

13. A rural sanitary authority may, at any meeting specially convened for the purpose, delegate for the current year of its office all its powers to a committee consisting wholly of its own members; provided always, that one third at least of such committee shall consist of ex-officio guardians, but in case an adequate number of such ex-officio guardians shall not exist, then the numbers so deficient shall be made up of elected guardians; and any such committee shall have the

powers by this Act vested in the rural sanitary authority by which it was formed, and shall be deemed to be during such year of office as aforesaid the rural sanitary authority of the district.

A rural sanitary authority (including any committee so formed as aforesaid) may at any meeting specially convened for the purpose form for any parish or contributory place within its district a parochial committee consisting wholly of members of such sanitary authority or committee, or partly of such members and partly of such other persons contributing to the rate levied for sanitary purposes in such parish or contributory place, and qualified in such other manner (if any) as the authority forming such parochial committee may determine.

A parochial committee shall be subject to any regulations and restrictions which may be imposed by the authority which formed it: Provided that no jurisdiction shall be given to a parochial committee beyond the limits of the parish or contributory place for which it is formed, and that no powers shall be delegated to a parochial committee except powers which the rural sanitary authority could exercise within such parish or contributory place.

A rural sanitary authority (including any committee so formed as aforesaid) may from time to time add to or diminish the number of the members or otherwise alter the constitution of any parochial committee formed by it, or dissolve any parochial committee.

A parochial committee shall be deemed to be the agents of the authority which formed it, and the appointment of such committee shall not relieve that authority from any obligation imposed on it by Act of Parliament or otherwise.

A committee may elect a chairman of its meetings. If no chairman is elected, or if the chairman elected is not present at the time appointed for holding the meeting, the members present shall choose one of their number to be chairman of such meeting. A committee may meet and adjourn as it thinks proper. The quorum of a committee shall consist of such number of members as may be prescribed by the authority that appointed it, or, if no number be prescribed, of three members. Every question at a meeting shall be determined by a majority of votes of the members present and voting on that question; and in case of an equal division of votes the chairman shall have a second or casting vote.

The proceedings of a committee shall not be invalidated by any vacancy or vacancies amongst its members.

29 & 30 Vict. c. 90. s. 4. repealed.

14. The fourth section of "The Sanitary Act, 1866," is hereby repealed.

Powers of inspectors of Local Government Board.

15. Inspectors of the Local Government Board may attend any meetings of local boards, or rural sanitary authorities,

when and as directed by the Local Government Board, and such inspectors shall, for the purposes of any inquiry directed by the Local Government Board, in relation to witnesses and their examination, the production of papers and accounts, the inspection of places and matters required to be inspected, have for the purposes of the Sanitary Acts similar powers to those which Poor Law inspectors have under the Acts relating to the poor law for the purposes of those Acts. The sanitary authority of the district of Oxford shall not, for the purposes of this section, be deemed to be a local board.

Expenses of urban sanitary authority.

16. All expenses incurred or payable by an urban sanitary authority under the Sanitary Acts shall, if the Local Government Acts, or the provisions of those Acts with respect to rating, were at or immediately before the passing of this Act in force throughout the district of such authority, or within a Local Government district wholly within such district, be defrayed in manner provided by those Acts; and if the Local Government Acts were not so in force at or immediately before the passing of this Act be defrayed as follows; that is to say,

(1.) In the case of the council of a borough, out of the borough fund or borough rate:

(2.) In the case of improvement commissioners, out of any rate in the nature of a general district rate leviable by them as such commissioners throughout the whole of their district:

Provided that where an urban sanitary authority had, before the passing of this Act, power to levy within its district a rate or rates for paving, sewering, or other sanitary purposes, all expenses incurred by such authority in the performance of its duties under the Sanitary Acts shall be defrayed out of such rate or rates, except where at the time of the passing of this Act any such expenses were chargeable upon the borough fund or borough rate, in which case such expenses shall continue so chargeable.

Expenses of rural sanitary authority.

17. The expenses incurred by a rural sanitary authority under the Sanitary Acts shall be divided into general expenses and special expenses.

General expenses, other than those chargeable upon owners and occupiers under the Sanitary Acts, shall be the expenses of the establishment and officers of the sanitary authority, the expenses in relation to disinfection, the providing conveyance for infected persons, and all other expenses not determined by this Act or the order of the Local Government Board to be special expenses.

Special expenses shall be the expenses of the construction of sewers in any contributory place within the district, the providing a supply of water to any such place, and all other expenses incurred or payable by the sanitary authority in or

in respect of any contributory place within the district, and determined by the order of the Local Government Board to be special expenses.

When the rural sanitary authority makes any sewers or provides any water supply or executes any other work under the Sanitary Acts for the common benefit of any two or more contributory places within its district, it may apportion the expense of constructing any such work, and of maintaining the same, in such proportions as it thinks just, between such contributory places, and any expense so apportioned to any such contributory place shall be deemed to be special expenses legally incurred in respect of such contributory place.

The overseers of any contributory place if aggrieved by any such apportionment, may within twenty-one days after notice has been given to them of the apportionment, send or deliver a memorial to the Local Government Board stating their grounds of complaint, and the said Board may make such order in the matter as to it may seem equitable, and the order so made shall be binding and conclusive upon all parties concerned.

General expenses shall be payable out of a common fund to be raised out of the poor rate of the parishes in the district according to the rateable value of each parish and contributory place in manner herein-after mentioned.

Special expenses shall be a separate charge on each contributory place.

The following areas situated in a rural sanitary district shall be contributory places for the purposes of this Act; that is to say,

(1.) Every parish not having any part of its area within the limits of a special drainage district or of an urban sanitary district; and

(2.) Every special drainage district; and

(3.) In the case of a parish wholly situated in a rural sanitary district and part of which forms or is part of a special drainage district, such portion of that parish as is not comprised within such special drainage district; and

(4.) In the case of a parish a part of which is situated within the limits of an urban sanitary district, such portion of that parish as is not comprised within such urban sanitary district, or within a special drainage district.

Mode of raising contributions in rural sanitary district.

18. For the purpose of obtaining payment from the several parishes and contributory places within its district of the sum to be contributed by them, the rural sanitary authority shall issue its precept to the overseers of each parish and contributory place situated within its district requiring such overseers to pay, within a time limited by the precept, the

amount specified in such precept to the rural sanitary authority, or to some person appointed by it, care being taken to issue separate precepts in respect of contributions for general expenses and special expenses, or to make such expenses respectively separate items in any precept including both classes of expenses.

Where a contributory place or part of a contributory place is part of a parish as defined by this Act, the overseers of such parish shall for the purposes of this Act be deemed to be the overseers of such contributory place or such part thereof.

The overseers shall comply with the requisitions of such precept by paying the contribution required in respect of general expenses out of the poor rate of their respective parishes, and with respect to special expenses by raising the contribution required by the levy (in the case of an entire parish on the whole of such parish, and in the case of a contributory place or part of a contributory place forming part of a parish, by the levy on such place or such part thereof, exclusive of the rest of the parish) of a separate rate in the same manner and with the same exemption in every respect as if it were a rate levied in pursuance of the seventeenth section of the Sewage Utilization Act, 1867, for the purpose of satisfying the requisitions of a precept of such sewer authority as is in the said section mentioned.

A separate rate under this Act shall, as respects the powers of the overseers in relation to making, assessing, and levying such rate, and as respects the appeal against such rate, and all other incidents thereof except the purposes to which it is applicable, and such exemption as aforesaid, and except the allowance of justices, which shall not be required, be subject to the same provisions as apply in law to a rate levied for the relief of the poor; and the overseers of a parish shall have the same powers of levying such separate rate in a contributory place or part of a contributory place, forming part of their parish, as they would have if such contributory place or such part thereof constituted the whole of their parish.

Where a contribution for general expenses is required from a contributory place or part of a contributory place which is part of a parish, the overseers shall from time to time levy such increase of rate from the contributory place or such part thereof as may be sufficient to recoup the parish for the sum it has paid on account of the contributory place or such part thereof in respect of general expenses under this Act, and carry the same to the general account of the parish, and such increase of rate shall be raised in such contributory place or part of a contributory place by an addition to the poor rate, or by a separate rate to be assessed, made, allowed, published, collected, and levied in the same manner as a poor rate. The officers ordinarily employed in the collection of the poor rate shall, if required by the overseers, collect any separate

rate made under this section, and receive such remuneration for the additional duty as the overseers with the consent of the vestry may determine.

The overseers shall at the expiration of their term of office pay any surplus in their hands arising from any separate rate levied in pursuance of this Act above the amount for which the rate was made to the rural sanitary authority or to such person as it may appoint, to the credit of the contributory place within which or within part of which such rate was made, and such surplus shall go in reduction of the next call that may be made on such contributory place or such part thereof for the purpose of defraying the expenses incurred by the rural sanitary authority.

Remedy for nonpayment by overseers of amount required by precept of sanitary authority.

19. If the amount required by any precept of a rural sanitary authority to be paid by the overseers of any parish be not paid in manner directed by such precept and within the time therein specified for that purpose, the rural sanitary authority shall have the like remedy for recovery from the overseers of such amount as is not paid as guardians have for the time being for recovery from overseers of contributions of parishes, and for that purpose the precept of the rural sanitary authority requiring the payment shall be conclusive evidence of the amount thereof.

Port Sanitary Authorities.

Sanitary authorities of ports to be constituted.

20. The Local Government Board may, by provisional order, permanently constitute any sanitary authority whose district or part of whose district forms part of or abuts upon any part of a port in England, or the waters of such port, or any conservators, commissioners, or other persons having authority in or over such port or any part thereof, (which sanitary authority, conservators, commissioners, or other persons are in this Act referred to as a "riparian authority,") the sanitary authority of the whole of such port, or of any part thereof, and may by such order assign to it (in this Act referred to as the "port sanitary authority") any powers, rights, duties, capacities, liabilities, and obligations under the Sanitary Acts, or any of them, and direct the mode in which the expenses of such port sanitary authority are to be paid; and until such provisional order has been made and confirmed by Parliament, the Local Government Board may by order temporarily constitute any such riparian authority as aforesaid the port sanitary authority of the whole port, or of any part thereof, for the purposes of the Sanitary Acts, or any provisions thereof.

A port shall mean a port as established for the purposes of the laws relating to the Customs of the United Kingdom.

The order of the Local Government Board constituting a port sanitary authority shall be deemed to give such authority

jurisdiction over all waters within the limits of such port, and also over the whole or such portions of the district within the jurisdiction of any riparian authority as may be specified in the order.

A port sanitary authority may, with the sanction of the Local Government Board, delegate to any other riparian authority within or bordering upon its district the exercise of any powers conferred on such port sanitary authority by the order of the Local Government Board, but except in so far as such delegation may extend no other sanitary authority shall exercise any powers conferred on a port sanitary authority by the order of the Local Government Board within the district of such port sanitary authority.

The Local Government Board may, in pursuance of this section, constitute a port sanitary authority by uniting two or more riparian authorities instead of making one riparian authority only a port sanitary authority, as herein-after provided with reference to the formation of sanitary district or united district, and may assign to the port sanitary authority so constituted any of the powers, rights, duties, capacities, liabilities, and obligations aforesaid.

This section shall extend to the port of London, but the mayor, aldermen, and commons of the City of London shall be deemed to be the sanitary authority of the port of London, and shall pay out of their corporate funds all their expenses as such port sanitary authority.

Expenses of port sanitary authority how to be defrayed.

21. Any expenses incurred by a port sanitary authority constituted temporarily in carrying into effect any sanitary purposes shall be defrayed out of a common fund to be contributed by the riparian sanitary authorities in such proportions as the Local Government Board thinks just.

Such port sanitary authority, if itself a sanitary authority independently of its character of a port authority, shall raise the proportion of expenses due in respect of its own district in the same manner as if such expenses had been incurred by it in the ordinary manner for the purposes of this Act.

For the purpose of obtaining payment from the contributory riparian sanitary authorities of the sums to be contributed by them, such port sanitary authority shall issue its precept to each such authority requiring it, within a time limited by the precept, to pay the amount therein mentioned to such port sanitary authority, or to such person as such port sanitary authority may direct.

Any contribution payable by a riparian sanitary authority to such port sanitary authority shall be a debt due from it, and may be recovered accordingly, such contribution in the case of a rural sanitary authority being deemed general expenses of that authority. If any riparian sanitary authority

makes default in complying with the precept addressed to it by such port sanitary authority, such port sanitary authority may, instead of instituting proceedings for the recovery of the debt, or in addition to such proceedings, as to any part of the debt which may for the time being be unpaid, proceed in a summary manner, as herein-after mentioned, to raise within the district of the defaulting authority such sum as may be sufficient to pay the debt due.

Alteration of Areas.

Alteration of areas and local authorities.

22. The following regulations shall be made as to the alteration of areas and local authorities:

(1.) The Local Government Board, by provisional order, may dissolve any Local Government district and may merge any such district in some other sanitary district or districts, or it may, by provisional order, declare any portion of a local government or a rural sanitary district immediately adjoining a Local Government district to be included in such last-mentioned district, and thereupon such included portion shall, for all sanitary purposes, be deemed to form part of such last-mentioned district; and the remaining part of such Local Government district or rural sanitary district shall continue subject to the like jurisdiction for sanitary purposes as it would have been subject to if such order had not been made unless and until the Local Government Board by provisional order otherwise directs:

(2.) In the case of a borough comprising within its area the whole of an Improvement Act district, or having an area coextensive with such district, the Local Government Board may, by provisional order, dissolve such district and transfer to the council of the borough the jurisdiction and powers of the Improvement Commissioners of such district:

(3.) Where a special drainage district has been formed under the Sewage Utilization Acts previously to the passing of this Act, but no works have been executed therein in respect of which a loan has been raised, such district may, by order of the Local Government Board, be dissolved:

(4.) Where a special drainage district has been formed under the Sewage Utilization Acts previously to the passing of this Act, and works have been executed therein in respect of which a loan has been raised, the Local Government Board may, by provisional order, dissolve such district and merge it in the parish or parishes in which it is situated.

Any order made in pursuance of this section may, if necessary, provide for the settlement of any differences, or the adjustment of any accounts or apportionment of any liabilities arising between districts, parishes, or other places in consequence of the exercise of any powers conferred by this section, and direct the persons by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys; and where any Local Government district is diminished or increased in extent under this section the provisional order shall prescribe the number of members to be elected for the district when altered.

Application of urban sanitary provisions to rural sanitary district.

23. The Local Government Board may, on the application of the authority of any rural sanitary district, or of ratepayers, the assessment of whose hereditaments amounts at the least to one tenth of the net rateable value of such district, or of any contributory place therein, by order, to be published in the London Gazette, or in such other manner as the Local Government Board may direct, invest such authority with all or any of the powers, rights, duties, capacities, liabilities, and obligations of an urban sanitary authority, and such investment may be made either unconditionally or subject to any conditions to be specified by the Board as to the time, portion of its district, or manner during, at, and in which such powers, rights, duties, liabilities, capacities, and obligations are to be exercised and attach: Provided that an order of the Local Government Board made in pursuance of an application from one tenth of the persons rated to the relief of the poor in any contributory place shall not invest the rural sanitary authority with any new powers beyond the limits of such contributory place.

Power for Local Government Board to constitute Local Government districts.

24. The Local Government Board may, by provisional order, declare any rural sanitary district, or any portion of any rural sanitary district or districts, to be an urban sanitary district; and, upon such order being confirmed by Parliament, the district or portion of the district or districts referred to therein shall become a Local Government district, and shall be subject to the jurisdiction of a local board, and the expenses incurred by such board in the performance of its duties under the Sanitary Acts shall be defrayed in manner provided by the Local Government Acts.

As to adoption of Local Government Acts, and constitution of special drainage district.

25. After the passing of this Act, the Local Government Acts shall not, nor shall any provision thereof, be adopted in or by any place without the consent of the Local Government Board, and it shall be lawful for a rural sanitary authority, with the consent of the Local Government Board, but not otherwise, to constitute any portion of the area within its jurisdiction a special drainage district; and thereupon such area shall become a separate contributory place.

Union of Districts.

Formation of united district.

26. Where it appears to the Local Government Board on the application of the sanitary authorities of any sanitary districts, or of any of such authorities, and after due inquiry, that it would be for the advantage of such sanitary districts, or any of them, or any parts thereof, or of any contributory places in any rural sanitary district or districts, to be formed into a united district for all or any of the purposes following; that is to say,

(1.) The procuring a common supply of water; or

(2.) The making a main sewer or carrying into effect a system of sewerage for the use of all such districts or contributory places; or

(3.) For any other purposes of the Sanitary Acts;

the Local Government Board may, by provisional order, form such districts or contributory places into a united district.

Mode of forming united district.

27. The following enactments shall take effect in relation to making a provisional order forming a united district; that is to say,

(1.) Notice of the provisional order shall be published in some newspaper circulating in the district to which it relates, and in such other manner as the Local Government Board may direct:

(2.) All costs, charges, and expenses of and incidental to the formation of a united district shall, in the event of the united district being formed, be a first charge on the rates leviable in the united district in pursuance of this Act:

(3.) The making of a provisional order shall be primâ facie evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such provisional order have been complied with.

Governing body of united district.

28. The governing body of a united district shall be a joint board consisting of such ex-officio members and of such number of elective members as the Local Government Board may by the provisional order forming the district determine.

A joint board shall be a body corporate by such name as may be determined by the provisional order, having a perpetual succession and a common seal, with power to acquire and hold lands for the purposes of its constitution, without any license in mortmain.

No act or proceeding of a joint board shall be questioned on account of any vacancy or vacancies therein.

No defect in the qualification or election of any person or persons acting as a member or members of a joint board shall be deemed to vitiate any proceedings of such board in which he or they has or have taken part.

Any minute made of proceedings at a meeting of a joint board, if signed either at the meeting at which such proceedings took place, or at the next ensuing meeting, by any person purporting for the time being to be the chairman of the board, shall be receivable in evidence of such proceedings in all legal proceedings without further proof; and until the contrary is proved every meeting of a joint board where minutes have been so made of the proceedings shall be deemed to have been duly convened and held, and all the members thereof to have been duly qualified.

No member of a joint board by being party to, or executing in his capacity of member, any contract or other instrument on behalf of the board, or otherwise exercising any of the powers given to the board, shall be subject individually to any action, suit, trial, prosecution, or other legal proceeding; and a joint board may apply any moneys from time to time coming into its hands for the purpose of paying any costs of legal proceedings or damages it may incur in the exercise of the powers granted to it: Provided that nothing in this section shall exempt any member of a joint board from liability to be surcharged with the amount of any payment which may be disallowed by the auditor in the accounts of such joint board, and which such member authorised or joined in authorising.

Regulation as to constitution of joint board.

29. The provisional order forming a united district under this Act shall define the purposes for which such united district is formed, and the powers, rights, duties, capacities, liabilities, and obligations under the Sanitary Acts which the joint board is authorised to exercise or perform or is made subject to, and shall contain regulations as to the qualification and mode of election of elective members of the joint board, as to their continuance in office, as to casual vacancies in the joint board, as to its meetings and officers, and any other matter or thing, including the adjustment of present and future liabilities and property with respect to which the Local Government Board may think fit to make any regulations for the better carrying into effect the provisions of this Act with respect to united districts.

Upon the constitution of a joint board the sanitary authorities having jurisdiction in the component districts or contributory places shall cease to exercise therein any powers, or to perform any duties, or to be subject to any liabilities or obligations, which the joint board is authorised to exercise or perform or is made subject to; nevertheless, the said joint board may delegate to the sanitary authority of any component district the exercise of any of its powers or the performance of any of its duties.

Expenses incurred by joint board how to be defrayed.

30. Any expenses incurred by a joint board in pursuance of this Act, unless otherwise determined by the provisional

order, shall be defrayed out of a common fund, to be contributed by the component districts or contributory places in proportion to the rateable value of the property in each district or contributory place, such value to be ascertained according to the valuation list in force for the time being.

A joint board may borrow and take up at interest on the credit of such common fund any sums of money necessary for defraying any such expenses, subject to the regulations of the Local Government Acts with respect to borrowing by local boards under those Acts.

Payment of contributions to joint board.

31. For the purpose of obtaining payment from component districts of the sums to be contributed by them, the joint board shall issue its precept to the sanitary authority of each component district stating the sum to be contributed by it, and requiring such authority, within a time limited by the precept, to pay the sums therein mentioned to the joint board, or to such person as the joint board may direct.

Any sum mentioned in a precept addressed by a joint board to a sanitary authority as aforesaid shall be a debt due from it, and may be recovered accordingly, such contribution in the case of a rural sanitary authority being deemed to be general expenses.

If any sanitary authority makes default in complying with the precept addressed to it, the joint board may, instead of instituting proceedings for the recovery of a debt or in addition to such proceedings as to any part of a debt which may for the time being be unpaid, proceed in a summary manner as herein-after mentioned to raise within the district of the defaulting authority such sum as may be sufficient to pay the sum due.

For the purpose of obtaining payment from contributory places of the sums to be contributed by them the joint board shall have the same powers of issuing precepts and of recovering the amounts named therein as if such contributory places formed a rural sanitary district and the joint board were the sanitary authority thereof.

Use of sewer of subjacent district for outfall of district above it.

32. A sanitary authority unto whose district the district of another sanitary authority is subjacent may, by agreement with the last-mentioned authority, and with the sanction of the Local Government Board, given on the application of the first-named authority after public inquiry, if the Local Government Board think such inquiry necessary, cause the sewers of its district to communicate for the purpose of outfall with the sewers of the subjacent district, and for the purpose of reception, disinfection, distribution, and disposal of the sewage of such first-named authority by the authority of the subjacent district, or for all, any, or either of those purposes, upon such terms as to payment or otherwise, in such manner as to making and maintaining the outfall, and with and

subject to such conditions, precautions, and restrictions as shall be agreed upon between the sanitary authorities, or, in case of dispute, shall be settled by the Local Government Board: Provided that so far as practicable storm waters shall be prevented from flowing from the sewers of the higher into the sewers of the subjacent district, and that the sewage of other districts or places shall not be permitted by the sanitary authority of the higher district to pass into their sewers so as to be discharged through such outfall into the sewers of the subjacent district without the consent of such last-mentioned district; and all expenses incurred in pursuance of this section by the said sanitary authorities, or either of them, shall be deemed to be expenses incurred by them respectively in performance of their duties under the Sanitary Acts, and be respectively payable accordingly out of the rates out of which such expenses are by this Act made payable, or out of moneys duly borrowed on the credit of such rates.

Repeal of Acts.

Repeal of Local Acts.

33. The Local Government Board may, on the application of the sanitary authority of any district, by provisional order, wholly or partially repeal, alter, or amend any Local Acts, other than Acts for the conservancy of rivers, in force in such district, and not conferring powers or privileges upon corporations, companies, undertakers, or individuals for their own pecuniary benefit, which relate to the same subject matters as the Sanitary Acts.

If any officer of any trustees, commissioners, or other body of persons intrusted with the execution of any such Local Act, and whether acting exclusively under the Local Act or partly under the Local Act and partly under provisions of the Local Government Act, is, by or in pursuance of any such provisional order or of this Act, removed from his office, or deprived of the whole or part of the emoluments of his office, and is not employed in an office of equal value by the authority of any sanitary district, the Local Government Board may by order award to such officer such compensation as the said Board may think just, and such compensation may be by way of annuity or otherwise, and shall be paid by the authority of the sanitary district in which such officer held his office out of any rates applicable to sanitary purposes within that district.

Miscellaneous.

As to consent of Local Government Board required in certain cases.

34. Where in any Local Acts the consent, sanction, or confirmation of one of Her Majesty's Principal Secretaries of State is required with respect to the borrowing of any money, to the giving effect to any byelaws, or to the appointment of any officer for sanitary purposes, the consent, sanction, or

confirmation of the Local Government Board shall, after the passing of this Act, be required instead of that of the Secretary of State.

The consent of the Local Government Board, and not that of the Treasury, shall be required to the borrowing of money for the purposes of the Baths and Wash-houses Acts.

The approval of the Local Government Board, and not that of one of Her Majesty's Principal Secretaries of State, shall be required for the appointment and removal of analysts under an Act of the session holden in the twenty-third and twenty-fourth years of the reign of Her Majesty, intituled "An Act for preventing the adulteration of articles of food or "drink."

If any question arises as to what are sanitary purposes within the meaning of this section, the determination of the Local Government Board on such question shall be conclusive.

Transfer of powers and duties of Board of Trade under Alkali Act, 1863, and Metropolis Water Acts, 1852 and 1871, to Local Government Board.

35. It shall be lawful for Her Majesty by Order in Council, at any time before the first day of January one thousand eight hundred and seventy-three, to direct that the powers and duties of the Board of Trade under the "Alkali Act, 1863," and any Act amending the same, and under the Metropolis Water Acts, 1852 and 1871, shall be transferred to the Local Government Board, and from and after the date of such order, or if no such order shall be made then from and after the said first day of January one thousand eight hundred and seventy-three, the powers and duties of the Board of Trade under the said Acts shall be transferred to and be exerciseable and performed by the Local Government Board, and "the Local Government Board" shall be deemed to be substituted for "the Board of Trade" wherever the latter expression occurs in the said Acts.

Transfer of powers and duties of Secretary of State under Highway and Turnpike Acts to Local Government Board.

36. From and after the passing of this Act, all powers, duties, and acts vested in, imposed on, or required to be done by or to one of Her Majesty's Principal Secretaries of State by the several Acts of Parliament relating to highways in England and Wales, and to turnpike roads and trusts, and bridges in England and Wales, shall be transferred to, imposed on, and be done by or to the Local Government Board, subject to the conditions, liabilities, and incidents to which such powers, duties, and acts were respectively subject immediately before the passing of this Act or as near thereto as circumstances admit.

Transfer of officers to Local Government Board.

37. All inspectors, clerks, and other officers employed in or about the execution of the powers and duties transferred by virtue of the provisions of this Act to the Local Government Board shall, from and after such transfer, be attached to and under the control of the Local Government Board.

The officers so attached shall in other respects hold their offices and places upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed.

The Local Government Board may by order distribute the business to be performed under the Local Government Board amongst the several officers and persons transferred by this Act to the Board in such manner as the Local Government Board may think expedient.

Salary of medical officer.

38. Whereas the medical officer of the Privy Council has under and by virtue of the sixth section of the Local Government Board Act, 1871, been attached to the Local Government Board in manner therein provided, and it is expedient to make provision as to the salary of such medical officer: Be it enacted, that notwithstanding anything contained in any Act of Parliament now in force there shall be paid out of moneys to be provided by Parliament to such medical officer such salary as the Treasury may from time to time determine, and this section shall be deemed to have taken effect as from the first day of April one thousand eight hundred and seventy.

Settlement of differences arising out of transfer of powers or property to sanitary authority.

39. Upon the application of any authority from whom or to whom any powers, rights, duties, capacities, liabilities, obligations, and property, or any of them, are transferred, or alleged or claimed to be transferred, in pursuance of this Act, or of any person affected by such transfer, the Local Government Board may by order settle any doubt or difference and adjust any accounts arising out of or incidental to such powers, rights, duties, capacities, liabilities, obligations, or property, or to the transfer thereof, and direct the parties by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys, and any provisions contained in any order so made shall be deemed to have been made in pursuance of and to be within the powers conferred by this section, subject to this proviso, that where any such order directs any rate to be made, or other act or thing to be done, which the party required to make or do would not, apart from the provisions of this Act, have been enabled to make or do by law, such order shall be provisional only until it has been confirmed by Parliament.

Power of raising money on credit of rates.

40. Any sanitary authority may, for the purpose of defraying any costs, charges, and expenses incurred or to be incurred by it in the performance of its duties under the Sanitary Acts, borrow and take up at interest any sums of money necessary for defraying any such costs, charges, and expenses, subject to the regulations in the Sanitary Acts.

An urban sanitary authority may borrow and take up at interest such money on the credit of all or any rates or rate

out of which it is authorised by the Sanitary Acts to pay any expenses incurred by it for sanitary purposes, and may mortgage any such rate or rates to the persons by or on behalf of whom such money is advanced for securing the repayment to them of the sums borrowed, with interest thereon.

A rural sanitary authority may borrow and take up at interest such money, if intended to be applied to purposes constituting the general expenses of such authority on the credit of the common fund out of which such expenses are payable, and if intended to be applied to purposes constituting the special expenses of such authority on the credit of any rate or rates out of which such expenses are payable, and may mortgage any such rate or rates to the persons by or on behalf of whom such money is advanced for securing the repayment to them of the sums borrowed, with interest thereon.

The words "permanent works" in the Local Government Act, 1858, shall include any works the cost of which in the opinion of the Local Government Board ought to be spread over a term of years.

The clauses of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners shall be incorporated with this Act, and in the construction of that Act "the special Act" shall mean this Act; "the Commissioners" shall mean any authority authorised to borrow by this Act; "the clerk of the Commissioners" shall include any officer appointed for the purpose by any such authority.

The mortgagees or assignees of any mortgage made in pursuance of this Act may enforce payment of the arrears of principal and interest due to them by the appointment of a receiver.

Power of raising money on credit of sewage land and plant.

41. Where any sanitary authority or joint board is possessed of any land, works, or other property in pursuance and for the purposes of the Sewage Utilization Act, 1867, such authority or joint board may borrow any moneys on the credit of such lands, works, or other property, and may mortgage such lands, works, or other property to any person advancing such moneys, in the same manner in all respects as if such sanitary authority or joint board were the absolute owner, both at law and in equity, of the lands, works, or other property so mortgaged. The moneys so borrowed shall be applied for purposes for which moneys may be borrowed under the Sanitary Acts; but it shall not be in any way incumbent on the mortgagees to see to the application of such moneys, nor shall they be responsible for any misapplication thereof.

The powers of borrowing conferred by this section shall, where the sums borrowed do not exceed three fourths of the purchase money of such lands (but not otherwise), be deemed to be distinct from and in addition to the general borrowing

powers conferred on a sanitary authority or joint board by the Sanitary Acts. The sanitary authority or joint board may pay out of any rates leviable by it for sanitary purposes the interest on any moneys borrowed by such authority or joint board in pursuance of this section.

Repeal of section 151 of Public Health Act, 1848.

42. From and after the passing of this Act, section one hundred and fifty-one of the Public Health Act, 1848, shall be repealed: Provided always, that any deed or other instrument actually executed prior to the passing of this Act by or in favour of any municipal corporation or other body acting as and being a Local Board of Health or Local Board, and exempt from stamp duty under the said Act, shall be valid for all intents and purposes although the same has not been stamped.

Limit of rating under Local Acts not to apply to expenses for sanitary purposes.

43. Any limit imposed on or in respect of any rate by any Local Act of Parliament shall not apply to any rate required to be levied for the purpose of defraying any expenses incurred by a sanitary authority for sanitary purposes.

Public Works Loan Commissioners may lend to sanitary authority on security of rates.

44. The Public Works Loan Commissioners may, on the recommendation of the Local Government Board, make any loan to any sanitary authority in pursuance of any powers of borrowing conferred by the Sanitary Acts, whether for works already executed or yet to be executed, and such loan to be repaid within a period not exceeding thirty or fifty years, as provided by those Acts, and to bear interest at the rate of three and a half per centum per annum, or such other rates as may, in the judgment of the Lords Commissioners of the Treasury, be necessary, in order to enable the loan to be made without loss to the Exchequer, on the security of any fund or rate applicable to sanitary purposes, and without requiring any further or other security:

Provided as follows:

(1.) That in determining the time when a loan under this section shall be repayable the Local Government Board shall have regard to the probable duration and continuing utility of the works in respect of which the same is required:

(2.) That in the case of any loan already made to any sanitary authority in pursuance of any powers conferred by the Sanitary Acts, the Public Works Loan Commissioners may reduce the interest payable thereon to the rate of not less than three and a half per centum per annum:

(3.) That this section shall not extend to any loan under "The Sanitary Loans Act, 1869," required for the purpose of defraying the expenses incurred or to be incurred by the Local Government Board in the performance of the duty of a defaulting local authority after the passing of this Act.

Confirmation of provisional orders by Parliament.

45. The Local Government Board shall not make any provisional order under this Act, unless public notice shall have been previously given by advertisement in two successive weeks in some newspaper published or circulating in the district to which such provisional order relates, and after hearing any objections which may be made thereto by any persons affected thereby, and in cases where the subject-matter is one to which a local inquiry is applicable, until it has made, by one of its inspectors, a local inquiry of which public notice has been given, and at which all persons interested have been permitted to attend and make objections.

The Local Government Board may submit to Parliament for confirmation any provisional order made by it in pursuance of this Act, but any such provisional order shall be of no force whatever unless and until it is confirmed by Parliament. If while the Bill confirming such order is pending in either House of Parliament a petition is presented against any provisional order comprised therein, the Bill, so far as it relates to such order, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

Any Act confirming any provisional order issued in pursuance of the Sanitary Acts or any of them may be repealed, altered, or amended by any provisional order made by the Local Government Board and duly confirmed by Parliament. The Local Government Board may revoke, either wholly or partially, any provisional order made by them before the same is confirmed by Parliament; but such revocation shall not be made whilst the Bill confirming the order is pending in either House of Parliament.

Securities under certain provisional orders to be valid.

46. Where by any provisional order under the Sanitary Acts extending the borrowing powers of a Local Board, and confirmed by Act of Parliament, it is directed that the sums borrowed shall be repaid within a period of fifty years from the date of the borrowing thereof, any security which has been given for a sum so borrowed shall not be invalid by reason of the same having been made repayable within a period of less than fifty years from the borrowing thereof.

Costs of provisional orders.

47. The reasonable costs of any sanitary authority in respect of provisional orders made in pursuance of the Sanitary Acts, or any of such Acts, and of the inquiry preliminary thereto, as sanctioned by the Local Government Board, whether in promoting or opposing the same, shall be deemed to be expenses properly incurred for sanitary purposes by the sanitary authority interested in or affected by such provisional orders, and such costs shall be paid accordingly; and if thought expedient by the Local Government Board the sanitary authority may contract a loan for the purpose of defraying such costs.

Orders of the Local Government Board how to be published.

48. Every order of the Local Government Board under the Sanitary Acts (unless otherwise prescribed by the said Acts) shall be published in such manner as that Board may direct; and every general order of the Local Government Board, made in pursuance of the Poor Law Amendment Act, 1834, and the several Acts amending the same, shall be published in the London Gazette, and when so published shall take effect in like manner and shall be of as much force and validity as any general order of the Poor Law Board made and sent in the manner prescribed by the last-mentioned Acts, and no further proceedings shall be necessary in such behalf; and as regards any single order of the said Board, made in pursuance of the said last-mentioned Acts, it shall not be necessary henceforth to send a copy thereof to the clerk to the justices of the petty sessions.

Audit of accounts.

49. The accounts of every sanitary authority shall be made up in such form and to such day or days in every year as may be appointed by the Local Government Board; the accounts of every rural sanitary authority shall be audited in every respect in the same manner as their accounts are audited in their capacity of guardians.

The accounts of the overseers collecting or paying any money for the purposes of the Sanitary Acts shall be audited in the same manner as the accounts of overseers collecting or paying any money for the purposes of the Acts relating to the relief of the poor.

An auditor shall, with respect to the accounts audited under this section, have the like powers and be subject to the like obligations in every respect as in the case of an audit under the Acts relating to the relief of the poor, and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit.

Taxation of bill of solicitor or attorney.

50. On the application of any sanitary authority whose accounts are required by the Sanitary Acts to be audited to the clerk of the peace of the county in which the area under the jurisdiction of such authority is wholly or in part situated, his deputy shall tax any bill due to any solicitor or attorney in respect of legal business performed on behalf of such authority; and the allowance of any sum on such taxation shall be primâ facie evidence of the reasonableness of the amount, but not of the legality of the charge.

The clerk of the peace shall be allowed for such taxation a remuneration after the rate to be fixed by the master of the Crown Office, and declared by an order of the Local Government Board.

If any such bill is not taxed by the clerk of the peace or some other duly authorised taxing officer before being presented to the auditor, the auditor's decision upon the reasonableness and the legality of the charge shall be final.

Sanitary authority may order destruction of infectious bedding, &c., and give compensation for same.

51. Every sanitary authority shall have power to direct the destruction of any bedding, clothing, or other articles which have been exposed to infection from any dangerous infectious disorder, and to give compensation for the same.

Penalty on breach of rules made under s. 52 of 29 & 30 Vict. c. 90.

52. Any person wilfully neglecting, or refusing to obey or carry out, or obstructing the execution of any rule, order, or regulation made by the Local Government Board under section fifty-two of the Sanitary Act, 1866, shall be guilty of an offence punishable on summary conviction before two justices, and be liable to a penalty not exceeding fifty pounds.

Legal Proceedings.

Legal position of sanitary authority.

53. Subject to the provisions of this Act, every sanitary authority shall, as respects the service of notices in pursuance of the Sanitary Acts, by or on behalf of, or on such authority, and as respects all legal proceedings, matters, and things to be taken or done in pursuance of the Sanitary Acts, by or on behalf of or to such authority, stand in the same position in all respects in which, previously to the passing of this Act, any authority stood whose powers, rights, duties, capacities, liabilities, and obligations are transferred to such authority; and for the purposes of this section a joint board shall be deemed to be a sanitary authority.

Proceedings for raising a sum for payment of debt within district of a defaulting authority.

54. Where any port sanitary authority, joint board, or other authority is authorised in pursuance of the Sanitary Acts to proceed in a summary manner to raise within the district of a defaulting authority such sum as may be sufficient to pay any debt due to it, the authority so authorised for the purpose of raising such sum shall within the district of the defaulting authority have, so far as relates to the raising such sum, the same powers as if it were the defaulting authority, and as if such sum were expenses properly incurred by the defaulting authority within its district.

Where the defaulting authority has power to raise any moneys due for its expenses by levy of a rate from individual ratepayers, the authority so authorised as aforesaid shall have power to levy such a rate by any officer appointed by it, and the officer so appointed shall have the same powers, and the rate shall be levied in the same manner and be subject to the same incidents in all respects as if it were being levied by the officer of the defaulting authority for the payment of the expenses of that authority, and where the defaulting authority has power to raise moneys due for its expenses by issuing precepts, or otherwise requiring payments from any other authorities, the authority so authorised as aforesaid shall have the same power as the defaulting authority would have of issuing precepts, or otherwise requiring payment from such other authorities.

Any precepts issued by the authority so authorised as aforesaid for raising the sum due to it may be enforced in the same manner in all respects as if they had been issued by the defaulting authority.

The authority so authorised as aforesaid may, in making an estimate of the sum to be raised for the purpose of paying the debt due to it, add such sums as it thinks sufficient, not exceeding ten per cent. on the debt due, and may defray thereout all costs, charges, and expenses (including compensation to any persons it may employ) to be incurred by such authority by reason of the default of the defaulting authority; and the authority so authorised as aforesaid shall apply all moneys raised by it in payment of the debt due to it, and such costs, charges, and expenses as aforesaid, and shall render the balance, if any, remaining in its hands after such application to the defaulting authority.

Saving Clauses.

Relation of local Acts to general Acts.

55. Where in any sanitary district any Local Act is in force, providing for objects the same as or similar to the objects of any enactment of the Sanitary Acts, proceedings may be instituted, at the discretion of the authority or person instituting the same, either under the Local Act or the Sanitary Acts, or under both, subject to these qualifications:

(1.) That no person shall be punished for the same offence both under a Local Act and the Sanitary Acts; and,

(2.) That the sanitary authority shall not, by reason of any Local Act in force within its jurisdiction, be exempted from the performance of any duty or obligation to which it may be subject under the Sanitary Acts, or any of them.

Saving for collegiate bodies and Government departments.

56. Any collegiate or other corporate body required or authorised by or in pursuance of any Act of Parliament to divert its sewers or drains from any river, or to construct new sewers, and any public department of the Government shall have the same powers and be subject to the same obligations under and in pursuance of the Sewage Utilization Act, 1867, as if this Act had not passed.

Saving for Metropolitan Board of Works.

57. Nothing in or done under this Act shall affect any outfall or other works of the Metropolitan Board of Works (although beyond the metropolis) executed under the Metropolis Management Acts, or take away, abridge, or prejudicially affect any right, power, authority, jurisdiction, or privilege of the Metropolitan Board of Works.

The Metropolis Management Acts means "The Metropolis Management Act, 1855," and the Acts amending or extending the same.

Saving for main sewerage districts under 11 & 12 Vict. c. 63.

58. Where any district has been constituted in pursuance of the provisions of the Public Health Act, 1848, for the purposes of main sewerage only, the authority of such district shall have the same powers, and be subject to the same obligations under that Act, and any Act amending the same, as if this Act had not passed: Provided, that the Local Government Board may by provisional order dissolve such district, or may invest the authority of such district with any powers, rights, duties, capacities, liabilities, and obligations exerciseable by or attaching to a sanitary authority under the Sanitary Acts.

Powers given by this Act to be cumulative.

59. All powers given by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not passed.

Definitions.

Definitions.

60. In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; that is to say,

"Borough" means any place for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of "Municipal Corporations in England and Wales," and any Act amending the same:

"The metropolis" means all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate:

"Local Government District" means any area subject to the jurisdiction of a local board constituted in pursuance of the Local Government Act, 1858, as defined by section eight of the Local Government Act Amendment Act, 1863, and "local board" means any board so constituted:

"Improvement Act district" means any area for the time being subject to the jurisdiction of any commissioners, trustees, or other persons invested by any Local Act with powers of town government and rating, and empowered under the Local Government Acts to adopt those Acts or any part or parts thereof:

"Improvement Commissioners" means the commissioners, trustees, or other persons invested by any Local Act with powers of town government and rating, and empowered under the Local Government Acts to adopt those Acts or any part or parts thereof:

"Parish" means a place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed:

"Union" means a union of parishes incorporated or united for the relief or maintenance of the poor under any public or local Act of Parliament, and includes any parish subject to the jurisdiction of a separate board of guardians:

"Guardians" means any persons or body of persons by whom the relief of the poor is administered in any union:

"Person" includes any body of persons, whether corporate or unincorporate:

"Local Government Acts" means 11 & 12 Vict. c. 63. (Public Health Act, 1848); 21 & 22 Vict. c. 98. (Local Government Act, 1858); 24 & 25 Vict. c. 61. (Local Government Act (1858) Amendment Act, 1861); 26 Vict. c. 17. (The Local Government Act Amendment Act, 1863), and any enactments amending the same:

"Labouring Classes Lodging Houses Acts" means 14 & 15 Vict. c. 34. (Labouring Classes Lodging Houses Act, 1851); 29 & 30 Vict. c. 28. (Labouring Classes Dwelling Houses Act, 1866); 30 & 31 Vict. c. 28. (Labouring Classes Dwelling Houses Act, 1867):

"Artizans and Labourers Dwellings Act" means 31 & 32 Vict. c. 130. (Artizans and Labourers Dwellings Act, 1868):

"Bakehouse Regulation Act" means 26 & 27 Vict. c. 40. (Bakehouse Regulation Act, 1863):

"Diseases Prevention Act" means 18 & 19 Vict. c. 116. (Diseases Prevention Act, 1855), as amended by 23 & 24 Vict. c. 77. ss. 10–12. (An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases):

"Baths and Wash-houses Acts" means 9 & 10 Vict. c. 74. (An Act to encourage the establishment of Public Baths and Wash-houses); 10 & 11 Vict. c. 61. (An Act to amend the Act for the establishment of Public Baths and Wash-houses):

"Common Lodging Houses Acts" means 14 & 15 Vict. c. 28. (Common Lodging Houses Act, 1851); 16 & 17 Vict. c. 41. (Common Lodging Houses Act, 1853):

"Sewage Utilization Acts" means 28 & 29 Vict. c. 75. (The Sewage Utilization Act, 1865); 29 & 30 Vict. c. 90. (The Sanitary Act, 1866); 30 & 31 Vict. c. 113. (The Sewage Utilization Act, 1867); 31 & 32 Vict. c. 115. (The Sanitary Act, 1868); 32 & 33 Vict. c. 100. (The Sanitary Loans Act, 1869); 33 & 34 Vict. c. 53. (The Sanitary Act, 1870):

"Nuisances Removal Acts" means 18 & 19 Vict. c. 121. (The Nuisances Removal Act for England, 1855); 23 & 24 Vict. c. 77. (An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases); 26 & 27 Vict. c. 117. (The Nuisances Removal Act for England (Amendment) Act, 1863); 29 & 30 Vict. c. 41. (The Nuisances Removal Act (No. 1.) 1866); 29 & 30 Vict. c. 90. (The Sanitary Act, 1866):

"Sanitary Acts" means all the above-mentioned Acts and this Act, and includes any enactments of such Acts:
"Sanitary purposes" means any objects or purposes of the Sanitary Acts:
"Sanitary authority" means "urban and rural sanitary authority."

CHAPTER 80.

An Act to enable the Commissioners of Her Majesty's Treasury to pay into the High Court of Chancery in England certain moneys being the amount paid to the Paymaster General on account of Her Majesty's Treasury in respect of the non-completion of the railway authorised by "The Kensington Station and North and South London Junction Railway Act, 1859." [10th August 1872.]

WHEREAS by "The Kensington Station and North and South London Junction Railway Act, 1859," hereinafter called the recited Act, the Kensington Station and North and South London Junction Railway Company, herein-after called "the company," was incorporated, with powers to make and maintain a railway from near Lillie Bridge in the parish of Saint Mary Abbott's, Kensington, to a point in the same parish on the west side of Love Lane, the object being by connecting the said railway with the then proposed extension of the West London Railway, to facilitate communication between divers railways south of the Thames and the western districts of the metropolis, and for other purposes:

And whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the session of the ninth and tenth years of Her present Majesty, chapter twenty, a sum of five thousand seven hundred and sixty pounds, being eight pounds per centum on the estimate of the expense of the railway authorised by the recited Act, was deposited with the Court of Chancery in England in respect of the application to Parliament for the Act:

And whereas in pursuance of the twenty-fifth section of the recited Act that sum of five thousand seven hundred and sixty pounds was released upon a bond being executed to Her Majesty, her heirs and successors, by the company and by Samuel Gurney, then of Prince's Gate, in the county of Middlesex, a member of the firm of Overend, Gurney, and Company, and who in this acted as surety for the Company in the penal sum of eleven thousand five hundred and twenty pounds, conditioned to be void if the railway was opened for the conveyance of passengers within the time limited by the

recited Act, or if it should be proved to the satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the company had paid up and expended for the purposes of their Act one half of the amount of their authorised share capital, or if the company should pay to Her Majesty, her heirs or successors, the full sum of five thousand seven hundred and sixty pounds.

And whereas no steps were taken to construct the railway mentioned in the recited Act, and the objects sought to be accomplished have, by the projection and subsequent sanction by Parliament of the Metropolitan District Railway, which has been constructed and is now open for public traffic, been more completely effected:

And whereas the powers granted by the recited Act expired on the thirteenth day of August one thousand eight hundred and sixty-two:

And whereas the bond to Her Majesty, her heirs and successors, so executed by the company and the said Samuel Gurney, was on the third day of July one thousand eight hundred and sixty-one registered by the officers of the Crown at the Common Pleas, and thus constituted an obligation affecting his estates:

And whereas on or about the thirty-first day of July in the year one thousand eight hundred and sixty-five the firm of Overend, Gurney, and Company sold and transferred their business to a firm or company under the name or style of Overend, Gurney, and Company (Limited), herein-after called "the limited company:"

And whereas on or about the tenth day of May in the year one thousand eight hundred and sixty-six the limited company stopped payment, and William Turquand, of Tokenhouse Yard, and Robert Palmer Harding, of the Old Jewry, in the city of London, public accountants, were appointed liquidators to wind up the affairs of that company:

And whereas on or about the fifteenth day of August one thousand eight hundred and sixty-six the said William Turquand and Robert Palmer Harding were also appointed inspectors to superintend the realisation and winding up of the affairs of the members of the said firm of Overend, Gurney, and Company (of whom the said Samuel Gurney was one), the limited company being the principal creditors of the firm of Overend, Gurney, and Company:

And whereas in the years one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven the said William Turquand and Robert Palmer Harding gave instructions for the sale (among other properties) of various estates belonging to the said Samuel Gurney, and, owing to the disastrous circumstances attending the failure of the limited company and the necessity that existed of raising as speedily as possible large sums of money to meet the demands of the

liquidation, it was matter of imperative necessity that those estates should be sold and the sales carried out with the greatest practicable expedition:

And whereas upon the sale in lots of portions of the estates of the said Samuel Gurney the purchasers refused to complete their purchases and pay their purchase moneys until the properties purchased by them had respectively been discharged from all liability in respect of the bond to Her Majesty, her heirs and successors, registered at the Common Pleas as aforesaid:

And whereas upon the application of the said William Turquand and Robert Palmer Harding to the Commissioners of Her Majesty's Treasury certificates of exoneration were from time to time granted, relieving the properties so sold from liability in respect of the said bond, but when the sales of the last of the properties belonging to the said Samuel Gurney had to be completed, the Commissioners of Her Majesty's Treasury, in reply to a memorial presented on his behalf praying that his estates might be released from liability in respect of the said bond, replied that they were advised they had no power to remit the penalties or conditions prescribed by the recited Act:

And whereas it being of the utmost importance that the assets of the estate of the said Samuel Gurney should be realised and distributed as rapidly as possible, the said William Turquand and Robert Palmer Harding thereupon paid, on the third day of April one thousand eight hundred and sixty-seven, to the Paymaster General on account of Her Majesty's Treasury the said sum of five thousand seven hundred and sixty pounds, and by consent of Her Majesty's Attorney General and by order of the Court of Queen's Bench satisfaction was thereupon entered at the Common Pleas in respect of the said bond:

And whereas the assets of the said Samuel Gurney have proved utterly inadequate to meet the claims on his estate, and the said William Turquand and Robert Palmer Harding are now bringing to a close their liquidation and inspectorship:

And whereas under the provisions of "The Abandonment of Railways Act, 1850," and "The Railways Companies Act, 1867," the Board of Trade was authorised, upon application made in the manner therein prescribed, and under circumstances analogous to those affecting the railway authorised by the recited Act, to grant warrants or certificates for the abandonment of railways, and upon any such warrant or certificate the Commissioners of Her Majesty's Treasury may cancel and deliver up any bond entered into or on behalf of the railway company obtaining such warrant or certificate:

And whereas numerous applications have been made to the Board of Trade under those Acts, and bonds cancelled under the provisions and in accordance with the conditions of "The

Railway Companies Act, 1867," and "The Abandonment of Railways Act, 1869:"

And whereas in the whole circumstances before recited it is expedient that relief should be granted for the benefit of the estate and creditors of the said Samuel Gurney by the repayment to the said William Turquand and Robert Palmer Harding of the aforesaid sum of five thousand seven hundred and sixty pounds:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for all purposes be cited as "The Kensington Station and North and South London Junction Railway Act, 1859 (Repayment of Moneys) Act, 1872."

Interpretation: "Liquidators."

2. The expression "the liquidators" used in this Act shall mean William Turquand and Robert Palmer Harding, the liquidators appointed by the Court of Chancery to wind up the estate of Overend, Gurney, and Company (Limited), or the liquidators for the time being of the said estate appointed by the Court of Chancery.

Power for liquidators to apply for warrant of abandonment, and for the Treasury to pay 5,760*l.* into Court of Chancery.

3. The liquidators may make or cause to be made application to the Board of Trade, in manner provided by "The Abandonment of Railways Act, 1850," "The Railway Companies Act, 1867," and "The Abandonment of Railways Act, 1869," for a warrant for the abandonment of the whole of the undertaking authorised by "The Kensington Station and North and South London Junction Railway Act, 1859," in the same manner as if they had executed the said bond to Her Majesty, her heirs and successors, as sureties for the company, and the said warrant may be granted to the liquidators accordingly, and if granted shall for all the purposes of the said Acts be deemed to have been granted to the said Samuel Gurney as surety to the said bond, and all proceedings consequent thereon or in relation thereto, which might have been taken by the said Samuel Gurney if the said warrant had been granted to him as surety to the said bond, may be taken by the liquidators, and all powers which might have been exercised by the said Samuel Gurney upon the grant of such warrant under the said order, or any of them, may be exercised by the liquidators as fully in all respects as if they had executed the said bond in the place of the said Samuel Gurney. On such warrant being granted the Commissioners of Her Majesty's Treasury for the time being may, out of moneys to be provided by Parliament for the purpose, pay into the High Court of Chancery in England the said sum of five thousand seven hundred and sixty pounds, which sum by reason of the non-completion of the said railway was paid to the Paymaster General on account

of Her Majesty's Treasury, and the said sum shall, for all the purposes of the said Acts of Parliament, be deemed to be the money deposited as security for the completion of the said railway.

CHAPTER 81.

An Act to amend the Attorneys and Solicitors Act, 1860, by extending to Members of the Faculty of Advocates in Scotland the privileges conferred therein on Writers to the Signet, Solicitors before the Supreme Courts, and Procurators before the Sheriff Courts. [10th August 1872.]

WHEREAS by section fifteen of an Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and twenty-seven, it was enacted that every person who had been admitted and enrolled as a writer to the signet or solicitor before the Supreme Courts in Scotland, or a procurator before any of the Sheriff Courts of Scotland, should be entitled to be admitted and enrolled as an attorney or solicitor in England on three years articles:

And whereas it is expedient that similar privileges should be conferred on members of the Faculty of Advocates in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to admit members of Faculty of Advocates to be Attorneys in England.

1. Every person who has been admitted a member of the Faculty of Advocates in Scotland, and who, whether before or after the passing of this Act, has duly served under articles of clerkship in England or Wales to a practising attorney or solicitor for the term of three years, and has been examined and sworn in manner directed by the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter seventy-three, and the Acts amending the same, may be admitted and enrolled as an attorney and solicitor in England and Wales.

Short title.

2. The short title of this Act shall be "The Attorney and Solicitors Act (1860) Amendment Act, 1872."

CHAPTER 82.

An Act to abolish Poundage for the Collection of Income Tax in public Departments.

[10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Abolition of poundage on collection of income tax in public departments.

1. After the commencement of this Act, so much of the Act of the session of the fifth and sixth years of the reign of Her present Majesty, chapter thirty-five, intituled "An Act "for granting to Her Majesty duties on profits arising from "property, professions, trades, and offices, until the sixth day "of April one thousand eight hundred and forty-five," and of the Acts amending the same, as authorises the payment to any person employed in either House of Parliament, or in the public departments, courts, and offices mentioned in sections twenty-eight, thirty, and thirty-four of the first-mentioned Act, of any remuneration for acting as assessor or collector of any income tax assessable by the commissioners acting under those sections, or for acting as clerk to such commissioners, shall be repealed.

Provided that—

(1.) The Commissioners of Her Majesty's Treasury may, if they think special circumstances require it, by minute assign such remuneration as they may think expedient to any such assessor, collector, or clerk. Every such minute shall state the circumstances under which it is made, and shall be laid before Parliament within one month after it is made, if Parliament be then sitting, or if not, within one month after the then next meeting of Parliament:

(2.) Nothing in this Act shall prevent any payment to any person in respect of any duties performed by him with reference to any income tax chargeable in the year ending at the commencement of this Act.

Commencement of Act.

2. This Act shall not come into operation until the sixth day of April one thousand eight hundred and seventy-three, which date is in this Act referred to as the commencement of this Act.

Short title.

3. This Act may be cited as "The Income Tax (Public Offices) Act, 1872."

CHAPTER 83.

An Act to extend the provisions of the Pensions Commutation Act, 1871, to Officers and Clerks of Telegraph Companies who are entitled to Annuities.

[10th August 1872.]

WHEREAS under the Telegraph Acts, 1868 to 1870, certain officers and clerks of companies whose undertakings have been purchased by the Postmaster General in pursuance of those Acts are entitled to receive during their lives from the Postmaster General, by way of compensation for the loss of their offices, annuities of such amount as therein mentioned:

And whereas it is expedient to extend the provisions of the Pensions Commutation Act, 1871, to such officers and clerks:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Pensions Commutation Act, 1872."

Extension to telegraph clerks of 34 & 35 Vict. c. 36.

2. The Pensions Commutation Act, 1871, shall apply to every officer and clerk of any company the undertaking of which has been purchased by the Postmaster General, in pursuance of the Telegraph Acts, 1868 to 1870, or one of them, who is entitled to receive any annuity during his life from the Postmaster General, by way of compensation for the loss of his office; in like manner as if he were mentioned in section three of the Pensions Commutation Act, 1871, and as if the term pension in that Act included such annuity, subject to the following modifications:

(1.) No recommendation shall be required, but every application for commutation shall be forwarded through the Postmaster General:

(2.) The amounts awarded shall be paid by the Postmaster General, under the direction of the Treasury, out of any sums raised for the purposes of the Telegraph Acts, 1868 to 1870:

(3.) Sections eight, eleven, and twelve of the Pensions Commutation Act, 1871, shall not apply to any commutation awarded in pursuance of this Act.

Accounts.

3. An account of all payments made in pursuance of this Act shall be laid before the House of Commons as soon as conveniently may be after they are made.

CHAPTER 84.

An Act to amend the Law relating to the appointment of Revising Barristers. [10th August 1872.]

WHEREAS it is expedient to amend the law respecting the appointment of revising barristers:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of so much of s. 29. of 6 & 7 Vict. c. 18. as authorises appointment of additional revising barristers.

1. So much of section twenty-nine of the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter eighteen, intituled "An Act to amend the "law for the registration of persons entitled to vote, and to "define certain rights of voting, and to regulate certain "proceedings in the election of members to serve in Par-"liament for England and Wales," or of any other Act which authorises or requires the Lord Chief Justice or judge in the case of the insufficiency of the number of the barrister or barristers originally appointed to revise the lists of voters for any county, city, or borough, to appoint one or more barrister or barristers to act, in addition to the barrister or barristers originally appointed, is hereby repealed as from the first day of January one thousand eight hundred and seventy-three.

Qualification of revising barrister.

2. No barrister shall be appointed after the first day of January one thousand eight hundred and seventy-three, to revise any list of voters for any county, city, or borough in England, who is of less than seven years standing, unless he has been appointed in any year previous to the year one thousand eight hundred and seventy-three to be such revising barrister.

Power to alter the number of revising barristers.

3. So much of section four of the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her Majesty, chapter one hundred and twenty-two, intituled "An "Act to enable Her Majesty in Council to make alterations "in the circuits of Judges," as provided that the present total number of revising barristers shall not be augmented otherwise than in accordance with the provisions of the twenty-ninth section of the said Act of the sixth and seventh years of the reign of Her Majesty is hereby repealed; and the power of increasing or diminishing the number of revising barristers conferred by the said section of the Act of the sixth and seventh years of the reign of Her Majesty may be exercised, from time to time, within any circuit, whether affected by the alterations therein mentioned or not, as occasion may require.

CHAPTER 85.

An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further provisions concerning Turnpike Roads. [10th August 1872.]

WHEREAS it is expedient to continue for limited times some of the Acts herein-after specified, and to repeal others, and to make further provisions concerning turnpike roads:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Schedule 1. **1.** The Acts specified in the first schedule annexed hereto shall be repealed on and after the first day of November one thousand eight hundred and seventy-two.

Schedule 2. **2.** The Acts specified in the second schedule annexed hereto shall be repealed on and after the first day of January one thousand eight hundred and seventy-three.

Schedules 3 and 4. **3.** The Acts specified in the third and fourth schedules annexed hereto shall expire at the times in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1871."

Schedule 5. **4.** The Acts specified in the fifth schedule annexed hereto shall continue in force until the thirty-first day of December one thousand eight hundred and seventy-two, and no longer.

Schedule 6. **5.** The Act specified in the sixth schedule annexed hereto shall continue in force until the thirty-first day of January one thousand eight hundred and seventy-three, and no longer.

Schedule 7. **6.** The Act specified in the seventh schedule annexed hereto shall continue in force until the first day of May one thousand eight hundred and seventy-three, and no longer.

Schedule 8. **7.** The Acts specified in the eighth schedule annexed hereto shall continue in force until the dates specified in each instance, and no longer.

Schedule 9. **8.** The Acts specified in the first and second columns of the ninth schedule annexed hereto shall, to the extent specified in the third column thereof, as from the dates specified in the fourth column thereof, be subject to the modifications specified in the fifth column thereof, and shall, to the same extent, as so modified, continue in force until the dates specified in the sixth column thereof, and no longer.

Where specified in the seventh column thereof the arrears of interest due on the thirty-first day of December one thousand

eight hundred and seventy-one, and remaining unpaid at the time of the passing of this Act, in respect of the roads subject to the trusts comprised in so much of the Acts as is specified in the third column thereof, are hereby extinguished.

9. The Act specified in the first and second columns of the tenth schedule annexed hereto shall, to the extent specified in the third column thereof, as from the date specified in the fourth column thereof, be subject to the modification specified in the fifth column thereof, and shall, to the same extent, as so modified, continue in force until the time specified in the sixth column thereof, and no longer, unless Parliament in the meantime otherwise provides. Schedule 10.

10. The Acts specified in the eleventh schedule annexed hereto shall continue in force until the first day of November one thousand eight hundred and seventy-three, and no longer, unless Parliament in the meantime otherwise provides. Schedule 11.

11. Such provisions, if any, of the said Acts mentioned in the said schedules as are not affected by the preceding sections, and all other Acts now in force for regulating, making, amending, or repairing any turnpike road in Great Britain which will expire at or before the end of the next session of Parliament, shall continue in force until the first day of November one thousand eight hundred and seventy-three, and to the end of the then next session of Parliament, unless Parliament in the meantime otherwise provides. Continuance of all other Turnpike Acts.

12. Whereas the Annual Turnpike Acts Continuance Act, 1871, repealed the Act passed in the first and second years of Her present Majesty, chapter seventy-eight, intituled "An Act "for amending an Act of King George the Third for draining "lands in South Holland, and for repairing and maintaining "the road from Spalding High Bridge to Brother House, all "in the county of Lincoln," and herein-after called the Spalding Act: And whereas sections fourteen to twenty-six, inclusive, of the Spalding Act relate to other matters than the repairing and maintaining the said road from Spalding High Bridge to Brother House: Be it enacted, that the said repeal shall not extend to the said sections, and that the said sections shall be and shall be deemed to have been in force as if the Annual Turnpike Acts Continuance Act, 1871, had not been passed. Certain provisions of 1 & 2 Vict. c. lxxviii. revived.

13. Such of the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the crossing of roads and other interference therewith as relate to turnpike roads shall continue in force in relation to any road which, having been a turnpike road, may at any time after the passing of this Act become an ordinary highway, in the same manner as if such road had continued to be a turnpike road; and in the construction of the said provisions, when applied to any such road Provisions in Railways Clauses Consolidation Act, 1845, relating to turnpike roads to apply to such roads on their becoming ordinary highways, 8 & 9 Vict. c. 20. ss. 46–67.

as aforesaid, if the road is within the jurisdiction of a highway board, such highway board shall be deemed to be the trustees or commissioners thereof; and in other cases the surveyor or other local authority having the care of the road shall be deemed to be such trustees or commissioners.

Highway Board may voluntarily repair turnpike road at the cost of district fund. 26 & 27 Vict. c. 94. s. 1. 34 & 35 Vict. c. 115. s. 15.

14. A highway board may, if they think fit, either repair or contribute to the repair of a turnpike road within their district, notwithstanding that no order of contribution may have been made upon the board, in pursuance of the first section of the Annual Turnpike Acts Continuance Act, 1863; and all moneys so expended by the board shall be deemed to be expenses incurred for the common use or benefit of the several parishes within such district, and shall be charged accordingly on the district fund; and this section shall be deemed to take effect from the first of January one thousand eight hundred and seventy-two.

Power to highway boards to pay off debts on turnpikes.

15. For the purpose of facilitating the abolition of tolls on any turnpike road within or passing through a highway district, the highway board and the trustees of the turnpike road may mutually agree that the highway board shall take upon themselves the maintenance and repair of such turnpike road, or so much thereof as is within their district, and thereupon the highway board shall pay off and discharge, where the turnpike is wholly within the highway district, the debt that may remain and be subsisting on the trusts of such turnpike road, or such sum by way of composition, but in full discharge of such debt, as the Local Government Board may after inquiry determine; and where the turnpike is not wholly within such district, such sum as the Local Government Board may in like manner determine as an equitable proportion of such debt or composition for the same.

The abolition of such tolls shall be deemed to be an improvement of highways within the meaning of sections forty-seven, forty-eight, and fifty of "The Highway Act, 1864," and for such purpose the highway board may borrow money in accordance with the provisions of those sections, subject to the following provisions, viz.:

That the improvement shall be deemed to be on behalf of all the parishes within the district, and each parish shall contribute thereto in the same proportion as it contributes to the district fund.

Short title.

16. This Act may be cited for all purposes as "The Annual Turnpike Acts Continuance Act, 1872."

SCHEDULES.

SCHEDULES 1 TO 11.

County.	Name of Trust.	No. of Schedule.	No. of Act.
Bedford	Bedford and Woburn	5	85
Cambridge	Hauxton and Dunsbridge	3	54
	Paper Mills	3	25
Chester	Acton Bridge and Hartford Green	3	37, 56
	Chelford and Holmes Chapel	8	88
	Chester and Wrexham	9	109
	Macclesfield and Congleton	3	75
	Manchester and Buxton	2	20
	Span Smithy and Linley Lane	3	38
	Stayley	1	6
Cumberland	Kingstown and West Linton Bridge	3	50
Derby	Cromford and Newhaven	9	133
	Greenhill Moor and Eckington	3	76
	Sheffield and Gander Lane	3	30
Devon	Exmouth Road	1	4
	Honiton and Ilminster	9	122
	Newton Bushell	1	2, 5
	Torquay	8	99
Dorset	Maiden Newton	5	84
Durham	Lobley Hill	9	114
	Stockton and Barnard Castle	8	92
Gloucester	Campden and Clifford	9	100
	Tewkesbury	3	48
	Tewkesbury Severn Bridge, and Roads	3 10	78 135
Hants	Andover and Basingstoke Andover Station	3	74
	Farnham and Petersfield	6	86
	Stockbridge and Winchester	3	36
	Winchester and Petersfield	2	17
Hereford	Ross	2	21
Hertford	Cheshunt	3	68
	Dunstable	8	89
	Wadesmill	3	27
	Welwyn	9	111
Kent	Goudhurst, Gore, and Stilebridge	1	12
	Maidstone and Biddenden	9	124
Lancaster	Blackburn to Addingham and Cocking End	2	18
	Crossford Bridge and Manchester	3	60, 77
	Garstang and Heiring Syke	9	132
	Kirkby Kendal and Kirkby Ireleth	1	1
	Warrington and Wigan	8	95
Leicester	Burton Bridge and Market Bosworth	3	61
	Leicester and Lutterworth	3	42
	Leicester and Peterborough, Leicester District	9	127
	Market Harborough and Coventry	9	128
	Melton Mowbray	3	43
Lincoln	Bridge End	3	41
	Deeping and Morcott	3	58
	Lincoln:—Branston Road Newark Road Sleaford Road	1	8, 9
	Lincoln, Brigg, Barton, Caistor, and Melton	3	51
Monmouth	Chepstow and Abergavenny, Shirenewton Branch	3	70

County.	Name of Trust.	No. of Schedule.	No. of Act.
Norfolk -	Lynn, East Gate - - - - -	3	63
	Norwich, Swaffham, and Mattishall - - -	3	71
Northampton	Market Harborough and Welford - - -	3	34
	Wansford Road - - - - -	7	87
Northumberland.	Alemouth and Hexham, Eastern District - -	3	32
	Alnwick and Eglingham - - - -	3	47
Nottingham	Bawtry and Scrooby - - - -	3	23
	Bingham - - - - -	3	29
	Foston Bridge and Little Drayton - - -	3	28
Oxford -	Banbury, Brailes, and Barcheston - - -	9	106
	Burford, Chipping Norton, Banbury, and Aynho:—		
	Aynho Division - - - - -	1	3
	Gosford Road - - - - -	3	33
Rutland -	Grantham, South District - - - -	8	93
	Leicester and Peterborough, Uppingham District -	9	127
Salop -	Ellesmere District - - - - -	9	116
	Ludlow - - - - - -	2	19
	Morville and Shipton - - - -	3	73
	Preston Brockhurst - - - - -	2	15
Somerset -	Bruton - - - - - -	9	113
	Taunton - - - - - -	9	121
	Weston-super-Mare and Worle - - -	9	120
Stafford -	Ashby-de-la-Zouch to Tutbury - - -	4	79
	Newcastle-under-Lyme and Drayton - -	3	65
	Sandon, Hugbridge, Hilderstone, and Draycot-in-the-Moors - - - - - -	8	91
Suffolk -	Ipswich to South Town, and Darsham to Bungay -	3	55
Sussex -	Hollington and Hastings - - - -	8	97
	Horsebridge and Horeham - - - -	3	35
	Rye - - - - - - -	3	40
	St. Leonard's and Sedlescomb - - -	8	96, 98
	Tunbridge Wells and Uckfield - - -	3	57
Warwick -	Alcester, United - - - - -	3	24, 26, 46
	Birmingham and Blakedown Pool - - -	9	126
	Birmingham and Spernal Ash - - -	3	53
	Birmingham to Stonebridge - - - -	3	64
	Birmingham and Stratford-on-Avon - - -	3	31
	Birmingham, Warwick, and Warmington - -	3	59
	Birmingham and Watford Gap - - -	3	45
	Castle Bromwich and Birmingham, and Stonnal to Stonebridge, United - - - -	9	107
	Coventry and Stoney Stanton - - -	9	112
	Coventry and Wolvey - - - -	3	22
	Dunchurch and Stonebridge - - - -	3	39
	Fillongley and Over Whitacre - - -	8	94
	Great Kington and Wellsbourn - - -	3	67
	Mancetter and Wolvey Heath - - -	9	110
	Rugby and Warwick - - - - -	9	118
	Warwick, Coventry, and Leamington - -	9	125
	Warwick, Paddlebrook, and Stratford - -	3	49
	Watling Street, Bentley Lane, and Branch, Pinwall Lane and Appleby United - - - -	5	81, 82
	Wellesbourne and Stratford - - - -	3	66
Westmorland	Heronsyke and Eamont Bridge - - -	9	130
Wilts -	Everley - - - - - -	9	102
	Holt - - - - - - -	2	16
	Kennet and Amesbury - - - -	9	119
	Westbury - - - - - -	4	80

County.	Name of Trust.	No. of Schedule.	No. of Act.
Worcester -	Birmingham to Bromsgrove - - - -	3	62
	Birmingham, Redditch, and Pershore - -	9	108, 134
	Evesham, First District, Bretforton and Stonebow Divisions, United - - - - -	8	90
	Upton-on-Severn - - - - -	3	44
York -	Bradford and Huddersfield - - - -	9	115
	Brampton Bierlow, and Hooton Roberts - -	1	7
	Brough Ferry - - - - -	1	14
	Gisburne and Long Preston - - - -	1	10
	New Mill District - - - - -	1	13
	Rochdale to Halifax, and Elland - - -	3	72
	Seacroft to Scholes - - - - -	9	123
	Shipley and Bramley - - - -	1	11
	Tadcaster Bridge to Hob Moor Lane End - -	3	69
	Tadcaster to Halton Dial - - - -	9	123, 129
	Wadsley, Langset, and Sheffield - - -	9	117
	York to Kexby Bridge, and Grimstone to Stone Dale	3	52
Denbigh -	Barnhill and Wrexham - - - -	9	105
	Wrexham to Denbigh, through Ruthin and Branch -	9	104
	Wrexham, Ruabon, and Llangollen - - -	9	103
Flint -	Overton District - - - - -	5	83
	Wrexham and Mold - - - - -	9	101
Merioneth -	Bala District - - - - -	9	131
	Dolgelley, Mowddwy, and Towyn - - -		
	Edernion District - - - - -		
	Festiniog, Maentwrog, and Harlech - - -		

FIRST SCHEDULE.

Acts which are to be repealed on and after the 1st of November 1872.

Date of Act.	Title of Act.
1 G. 4. c. xviii. - *Limited to expire at end of session after* 1 *November* 1872.	1. An Act for enlarging the term and powers of several Acts of His late Majesty for repairing the road from Kirkby Kendall in the county of Westmoreland to Kirkby Ireleth in the county of Lancaster.
7 G. 4. c. xcii. - *Limited to expire at end of session after* 1 *November* 1872.	2. An Act for more effectually repairing and improving several roads leading to and from the towns of Newton Bushell, South Bovey, and Moretonhampstead in the county of Devon.
2 W. 4. c. xvi. - *Limited to expire on* 1 *May* 1877.	3. An Act for more effectually improving the road from Burford to Banbury in the county of Oxford, and from Burford to the road leading to Stow in the county of Gloucester, and from Swerford Gate in the county of Oxford to the road in Aynho in the county of Northampton, and for making a new branch of road to communicate with the same; *so far as the same relates to the Aynho division.*
2 W. 4. c. lii. - *Limited to expire at end of session after* 1 *November* 1872.	4. An Act for making and maintaining a turnpike road from Burnt House in the parish of Lympstone in the county of Devon to Exmouth in the same county.

Date of Act.	Title of Act.
6 W. 4. c. lxxxiv. - *Limited to expire at end of session after* 1 *November* 1872.	5. An Act to amend an Act of the seventh year of the reign of His late Majesty King George the Fourth for more effectually repairing and improving the several roads leading to and from the towns of Newton Bushell, South Bovey, and Moretonhampstead in the county of Devon.
1 Vict. c. xl. - *Limited to expire at end of session after* 1 *November* 1872.	6. An Act for repairing the road from French Top in the West Riding of the county of York to Stayley in the county palatine of Chester.
1 Vict. c. xliv. - *Limited to expire at end of session after* 1 *November* 1872.	7. An Act for repairing and maintaining the road leading from the south end of Angel Lane in Brampton Bierley to a certain public highway in Mexbrough, and from Clegg's Cottage in Rawmarsh to the West end of the village of Hooton Roberts in the county of York.
4 & 5 Vict. c. cviii. - *Limited to expire at end of session after July* 1872.	8. An Act for more effectually repairing, maintaining, and improving certain roads leading to and from the city of Lincoln; *so far as the same relates to the Branston Road, the Newark Road, and the Sleaford Road.*
5 Vict. c. lxxi. - *Limited to expire at end of session after July* 1872.	9. An Act to explain and amend an Act passed in the fourth and fifth years of the reign of Her present Majesty for more effectually repairing, maintaining, and improving certain roads leading to and from the city of Lincoln; *so far as the same relates to the Branston Road, the Newark Road, and the Sleaford Road.*
15 Vict. c. xc. - *Limited to expire at end of session after* 31 *October* 1873.	10. An Act for maintaining in repair the road leading from the Lord Nelson public-house upon the road between Burnley and Colne in the township of Marsden in the parish of Whalley in the county palatine of Lancaster to Gisburne in the West Riding of the county of York, and from thence to the road leading from Skipton to Settle at or near Long Preston in the said West Riding of the county of York.
16 & 17 Vict. c. cv. - *Limited to expire at end of session after* 1 *November* 1872.	11. An Act to amend an Act passed in the seventh year of the reign of King George the Fourth, intituled An Act for making a turnpike road from Shipley to Bramley, together with certain branches therefrom, in the West Riding of the county of York.
17 Vict. c. xlviii. - *Limited to expire at end of session after* 2 *June* 1876.	12. An Act to renew the term and continue the powers of an Act passed in the ninth year of the reign of His Majesty King George the Fourth, intituled An Act for more effectually repairing and improving the roads from Kippings Cross to Wilsley Green, and from a place near Goudhurst Gore to Stilebridge, and from Underden Green to Wanshutts Green, all in the county of Kent; *so far as the same relates to the Goudhurst Gore to Stilebridge, or Second District of Roads.*
17 & 18 Vict. c. xcvii. *Limited to expire at end of session after* 1 *November* 1875.	13. An Act to amend an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled An Act for more effectually repairing the Wadsley and Langset Turnpike Road, and extending the same in two lines to join the Huddersfield and Woodhead Turnpike Road, in the townships of Upperthong and Honley, in the West Riding of the county of York; and to continue the term thereby granted, so far as the said Act and the term thereby granted relate to the New Mill District of road therein mentioned.
27 & 28 Vict. c. lix. - *Limited to expire at end of session after* 1 *November* 1872.	14. An Act to extend the term and amend the provisions of the Act relating to the turnpike road from Brough Ferry to South Newbald Holmes, and from Brough to Welton, in the East Riding of the county of York.

SECOND SCHEDULE.

Acts which are to be repealed on and after the 1st of January 1873.

Date of Act.	Title of Act.
59 G. 3. c. lxxxvi. - *Limited to expire at end of session after 1 November* 1872.	15. An Act for more effectually repairing and improving the road from Shrewsbury to Preston Brockhurst, to Shawbury, and to Shreyhill, and other roads in the county of Salop.
7 G. 4. c. xviii. - *Limited to expire at end of session after 1 November* 1872.	16. An Act for amending and maintaining the road leading from the turnpike road on Farrard's Common in the parish of Bradford through Holt and Melksham to Homan's Stile in the parish of Lacock in the county of Wilts, and the road leading therefrom to the Bath Turnpike Road upon Kingsdown Hill in the same county.
17 & 18 Vict. c. cxxiii. *Limited to expire at end of session after 1 November* 1875.	17. An Act to continue the term and to amend and extend the provisions of the Act relating to the Winchester and Petersfield Turnpike Road; and for other purposes.
19 & 20 Vict. c. lviii. *Limited to expire at end of session after 1 November* 1877.	18. An Act for repairing the road from Blackburn in the county palatine of Lancaster to Addingham and Cocking End in the West Riding of the county of York, and the road from Old Accrington to its junction with such road in Habergham Eaves in the said county of Lancaster.
22 & 23 Vict. c. lxxxix. *Limited to expire at end of session after 29 October* 1880.	19. An Act for repairing and maintaining certain roads at and near Ludlow in the county of Salop, known as the Ludlow First Turnpike Trust, the Ludlow Second Turnpike Trust, and the Cainham Trust, and for placing such roads under the same management.
23 Vict. c. lvii. - *Limited to expire at end of session after 29 October* 1881.	20. An Act to repeal the Act 10 George IV., chapter 114, relating to the turnpike roads from Hurdlow House in the county of Derby to Manchester in the county palatine of Lancaster, and to confer other powers in lieu thereof.
25 Vict. c. iv. - - *Limited to expire at end of session after 10 June* 1883.	21. An Act for continuing the term and amending and extending the provisions of the Act relating to the Ross Turnpike Roads; and for other purposes.

THIRD SCHEDULE.

Acts which are to expire at the date (1st November 1872) mentioned in 34 & 35 Vict. c. 115.

Date of Act.	Title of Act.
53 G. 3. c. vi. - -	22. An Act for repairing the road from the city of Coventry to the Rugby Turnpike Road in the parish of Wolvey in the county of Warwick.
53 G. 3. c. xi. - -	23. An Act for enlarging the term and powers of two Acts of His present Majesty for repairing and widening the road from Bawtry in the county of York to East Markham Common in the county of Nottingham, and from Little Drayton to Twyford Bridge in the said county of Nottingham.
54 G. 3. c. lxxxiv. -	24. An Act for repairing the road from Aulcester to Wootton Wawen in the county of Warwick.

Date of Act.	Title of Act.
55 G. 3. c. xlix. -	25. An Act for more effectually repairing the road from Jesus Lane in the town of Cambridge to Newmarket Heath in the county of Cambridge.
1 & 2 G. 4. c. xiii. -	26. An Act for repairing the roads from Stratford-upon-Avon in the county of Warwick, through Alcester and Feckenham, to Bradley Brook in the county of Worcester, and other roads therein mentioned in the same counties.
1 & 2 G. 4. c. xvii. -	27. An Act for continuing and amending four Acts of their late Majesties King George the Second and King George the Third for repairing the roads leading from Wades Mill in the county of Hertford to Barley and Royston in the said county.
1 & 2 G. 4. c. xxix. -	28. An Act for continuing the term and amending, altering, and enlarging the powers of an Act of His late Majesty's reign for more effectually repairing the road from Foston Bridge in the county of Lincoln to Little Drayton in the county of Nottingham.
1 & 2 G. 4. c. xxx. -	29. An Act for more effectually repairing and improving the road from Newark-upon-Trent in the county of Nottingham to join the road from Nottingham to Grantham in the county of Lincoln, near the Guide Post on the Foss Road near Bingham in the said county of Nottingham.
1 & 2 G. 4. c. liv. -	30. An Act for continuing and amending two Acts of His late Majesty for repairing the roads from Gander Lane in the county of Derby to Sheffield in the county of York, and from Mosbrough Green to Clown, both in the said county of Derby; and also for widening and altering certain parts of the said roads, and making and maintaining certain branches of road communicating therewith.
1 & 2 G. 4. c. lxxxi. -	31. An Act for repairing the road from Birmingham, through Stratford-upon-Avon, to Stratford Bridge in the county of Warwick.
1 & 2 G. 4. c. lxxxiv.	32. An Act for repairing the road from Alemouth, through Alnwick and Rothbury, to Hexham, and a branch from the said road between Alnwick and Rothbury to Jockey's Dike Bridge, all in the county of Northumberland; *so far as the same relates to the Eastern District.*
1 & 2 G. 4. c. lxxxvi.	33. An Act to continue and amend two Acts for repairing the road from the turnpike road near the town of Weston-on-the-Green in the county of Oxford to the turnpike road on Kidlington Green in the said county.
3 G. 4. c. c. - -	34. An Act for amending, widening, and keeping in repair the roads leading from the town of Northampton to Chain Bridge near the town of Market Harborough, and from the Direction Post in Kingsthorpe to Welford Bridge, all in the county of Northampton.
4 G. 4. c. xii. - -	35. An Act for more effectually making, repairing, and improving the roads from Union Point near Uckfield to the Sea Houses in Eastbourne, and from Horsebridge to Cross in Hand, all in the county of Sussex.
4 G. 4. c. xv. - -	36. An Act for repairing and improving the roads from the town of Stockbridge to the city of Winchester, and from the said city of Winchester to the top of Stephen's Castle Down, near the town of Bishop's Waltham, in the county of Southampton, and from the said city of Winchester, through Otterborne, to Bar Gate in the town and county of the town of Southampton, and certain roads adjoining thereto; *so far as the same relates to the Stockbridge and Winchester Road.*
4 G. 4. c. lxxxii. -	37. An Act for improving and keeping in repair the road from Tarporley in the county palatine of Chester to the south-east end of Acton Forge near Weverham in the same county.
5 G. 4. c. xxv. - -	38. An Act for improving and keeping in repair the road from Span Smithy in the county of Chester to Talk in the county of Stafford.

Date of Act.	Title of Act.
5 G. 4. c. xliii. - -	39. An Act for repairing the road from Dunchurch to Stonebridge in the county of Warwick.
6 G. 4. c. xliii. - -	40. An Act for more effectually repairing and widening the road from Flimwell Vent in the county of Sussex, through Highgate in the county of Kent, and the parishes of Sandhurst, Newenden, and Northiam, to Taylor's Corner in the parish of Rye in the county of Sussex; and from Highgate aforesaid to Cooper's Corner in the county of Sussex; and also a piece of road communicating with the said road called Whitebread Lane, in the said county.
6 G. 4. c. liii. - -	41. An Act for repairing the road branching out of the Great North Road by the Guide Post at the south end of Spittlegate in the parish of Grantham in the county of Lincoln, and leading from thence to the turnpike road at or near Bridge End in the same county.
6 G. 4. c. lxxx. - -	42. An Act for more effectually repairing, widening, altering, and improving the road from the borough of Leicester to the town of Lutterworth in the county of Leicester.
6 G. 4. c. lxxxi. -	43. An Act for more effectually repairing, widening, altering, and improving the road from Melton Mowbray in the county of Leicester to the Guide Post in Saint Margaret's Field, Leicester, and the road branching from the said road at or near a certain place in the lordship of Barkby in the said county called the Round Hill, to the town of Barkby.
6 G. 4. c. cliii. - -	44. An Act for repairing, improving, and keeping in repair several roads leading to and from the town of Upton-upon-Severn in the county of Worcester.
7 G. 4. c. xxii. - -	45. An Act for repairing the road from Birmingham to Watford Gap in the parish of Sutton Coldfield in the county of Warwick, and other roads communicating therewith.
7 G. 4. c. xxiii. - -	46. An Act for making and maintaining a turnpike road from Arrow in the county of Warwick to Pot Hooks End in the county of Worcester, and from Dunnington in the said county of Warwick to Crabs Cross in the said county of Worcester.
7 G. 4. c. lxxv. - -	47. An Act for more effectually amending, widening, altering, improving, and maintaining the road from the town of Alnwick in the county of Northumberland by Eglingham and Chatton to the Great North Turnpike Road near to Haggerston Toll Bar in the county of Durham.
7 G. 4. c. lxxviii. -	48. An Act for making, maintaining, and repairing certain roads leading into and from the town of Tewkesbury in the county of Gloucester, towards the cities of Gloucester and Worcester, and the towns of Cheltenham, Stow-on-the-Wold, Evesham, and Pershore, and certain other roads therein mentioned, in the counties of Gloucester and Worcester.
7 & 8 G. 4. c. xxvi. -	49. An Act for repairing the roads from Warwick to Paddle Brook in the parish of Stretton-on-the-Fosse, and from Warwick to Stratford-upon-Avon, in the counties of Warwick and Worcester.
7 & 8 G. 4. c. li. -	50. An Act for amending, improving, and maintaining in repair the road between the point at which the great roads from the city of Carlisle to the cities of Edinburgh and Glasgow respectively separate, and Weslington Bridge in the county of Cumberland.
7 & 8 G. 4. c. lxvii. -	51. An Act for repairing the road from Barton Waterside House to Riseham Hedge Corner, and other roads in the county of Lincoln connected therewith.
7 & 8 G. 4. c. xcix. -	52. An Act for repairing the road from the city of York to Kexby Bridge, and from Grimston to the upper end of Stone Dale in the county of York.
9 G. 4. c. xxxiv. -	53. An Act for repairing the road from Spernal Ash in the county of Warwick through Studley to Birmingham.

Date of Act.	Title of Act.
9 G. 4. c. xxxvi. -	54. An Act for more effectually repairing the roads from the town of Cambridge to the Wadesmill Turnpike Road in the parishes of Great Chishill and Little Chishill in the county of Essex, and from the said town of Cambridge to Royston in the county of Cambridge.
9 G. 4. c. xlv. - -	55. An Act for repairing the road leading from Ipswich to South Town, and from the said road, at or near Beech Lane in the parish of Darsham to Bungay in the county of Suffolk.
9 G. 4. c. cv. - -	56. An Act for more effectually amending and improving the road from Northwich, to the Guide Post heretofore upon Delamere Forest (now the parish of Delamere), near Kelsall Hill in the county palatine of Chester.
10 G. 4. c. lv. - -	57. An Act for more effectually repairing the road from Tunbridge Wells in the county of Kent to Uckfield in the county of Sussex.
10 G. 4. c. lxxviii. -	58. An Act for more effectually repairing the road from James Deeping Stone Bridge to Peter's Gate in Stamford in the county of Lincoln, and from thence to the south end of the town of Morcott in the county of Rutland.
11 G. 4. c. xciv. -	59. An Act for repairing the road from Birmingham through Warwick and Warmington in the county of Warwick to the utmost limits of the said county on Edgehill.
1 W. 4. c. vii. - -	60. An Act for more effectually maintaining the road from Crossford Bridge to the town of Manchester in the county palatine of Lancaster, and for making a branch road to communicate therewith.
1 W. 4. c. x. - -	61. An Act for repairing the road from Burton Bridge in the county of Stafford to Market Bosworth in the county of Leicester.
1 W. 4. c. xi. - -	62. An Act for repairing the road from Birmingham to Bromsgrove.
1 & 2 W. 4. c. xxi. -	63. An Act for more effectually repairing the roads from the borough of King's Lynn, and other roads therein mentioned, and for making a new line of road at Castle Rising, all in the county of Norfolk.
2 W. 4. c. xxxiii. -	64. An Act for repairing the road from Birmingham (through Elmdon) to Stonebridge in the county of Warwick.
2 W. 4. c. lv. - -	65. An Act for more effectually repairing and improving the road from Newcastle-under-Lyme in the county of Stafford to Drayton in Hales, otherwise Market Drayton, in the county of Salop, and for making new branches and deviations of roads to communicate therewith.
3 W. 4. c. xvi. -	66. An Act for repairing the road from Wellsbourn Mountfort to Stratford-upon-Avon in the county of Warwick.
3 W. 4. c. xli. - -	67. An Act for repairing the road from Upton in Ratley to Great Kington and Wellesbourne Hastings in the county of Warwick.
3 W. 4. c. xlii. -	68. An Act for more effectually repairing the several roads leading from the towns of Hertford and Ware and other places in the county of Hertford.
3 & 4 W. 4. c. lxxxiii.	69. An Act for repairing, maintaining, and improving the road from Tadcaster Bridge within the county of the city of York to Hob Moor Lane End.
3 & 4 W. 4. c. xciv. -	70. An Act for improving the communication between the towns of Chepstow and Abergavenny in the county of Monmouth.
5 W. 4. c. xl. - -	71. An Act for more effectually repairing the road from Saint Benedict's Gate in the county of the city of Norwich to Swaffham in the county of Norfolk, and from Halfpenny Bridge in Honingham to the Bounds of Yaxham, and also a lane called Hangman's Lane, near the gates of the said city.
6 W. 4. c. viii. - -	72. An Act for repairing and maintaining the road from Rochdale in the county palatine of Lancaster to Halifax and Ealand in the West Riding of the county of York.
2 Vict. c. xxx. -	73. An Act for making a turnpike road from Morville to Shipton, with a branch to Brockton, and another branch from Brockton to Easthope's Cross, all in the county of Salop.

Date of Act.	Title of Act.
3 Vict. c. xxxi. -	74. An Act for more effectually repairing the road from Basingstoke in the county of Southampton to Lobcomb Corner in the county of Wilts, and other roads therein described; and for making a new road from the said road at the eastern entrance of the town of Andover to the Warren Farm Station on the London and South-western Railway, in the said county of Southampton.
3 Vict. c. xxxii. -	75. An Act for repairing and improving the road from Macclesfield to Congleton in the county of Chester.
3 Vict. c. lxiv. -	76. An Act for making a turnpike road from Greenhill Moor to Eckington in the county of Derby.
11 & 12 Vict. c. cxlvi.	77. An Act for altering and amending an Act passed for maintaining the road from Crossford Bridge to Manchester, and a branch connected therewith.
13 & 14 Vict. c. lxvi.	78. An Act for continuing the term of an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled An Act for building a bridge over the River Severn at or near to the Mythe Hill within the parish and near to the town of Tewkesbury in the county of Gloucester, to the opposite side of the said river in the parish of Bushley, in the county of Worcester, and for making convenient roads and avenues to communicate with such bridge, within the counties of Gloucester and Worcester, and of another Act passed in the seventh year of the reign of His said late Majesty King George the Fourth, intituled An Act for altering, amending, and enlarging the powers and provisions of an Act relating to the Tewkesbury Severn Bridge and roads, for the purpose of paying off the debt now due on the said bridge and roads; *so far as the same relates to the said roads.*

FOURTH SCHEDULE.

Acts which are to expire at the date (31st December 1872) mentioned in 34 & 35 Vict. c. 115.

Date of Act.	Title of Act.
5 G. 4. c. ci. - -	79. An Act for more effectually repairing the road from Ashby-de-la-Zouch in the county of Leicester, through Burton-upon-Trent in the county of Stafford, to Tutbury in the said county of Stafford.
7 G. 4. c. xv. - -	80. An Act for maintaining and improving the road leading from Pengate in the parish of Westbury to a place formerly called Price's Warren Gate, at Tinhead in the parish of Edington in the county of Wilts, and other roads near or adjoining the said roads in the counties of Wilts and Somerset.

FIFTH SCHEDULE.

Acts which are to continue in force until the 31st of December 1872, and no longer.

Date of Act.	Title of Act.
1 W. 4. c. xii. - -	81. An Act for repairing the road from Measham in the county of Derby to Fieldon Bridge in the county of Warwick, and other roads communicating therewith, in the counties of Derby, Leicester, and Warwick.

Date of Act.	Title of Act.
1 W. 4. c. xiv. - -	82. An Act for repairing the Watling Street Road, the Mancester and Wolvey Heath Road, and other roads communicating therewith, in the counties of Leicester and Warwick; *so far as the same relates to the Watling Street Road, the Bentley Lane, and Branch Road.*
1 Vict. c. xvii. - -	83. An Act for repairing, amending, and maintaining the road from Shrewsbury, through Ellesmere in the county of Salop, to Wrexham in the county of Denbigh, and other roads branching out of the same; *so far as the same relates to the Overton district of such roads.*
3 Vict. c. lxv. - -	84. An Act for making and maintaining several roads leading from the town of Maiden Newton in the county of Dorset, and other roads communicating therewith, in the counties of Somerset and Dorset.
3 & 4 Vict. c. c. -	85. An Act for repairing, improving, and maintaining the road from Bedford to Woburn, with a branch therefrom, all in the county of Bedford.

SIXTH SCHEDULE.

Act which is to continue in force until the 31st of January 1873, and no longer.

Date of Act.	Title of Act.
7 G. 4. c. lxxx. -	86. An Act for making and maintaining a turnpike road from a place called Coxbridge, near Farnham, in the county of Surrey, to Ramshill, near Petersfield, in the county of Southampton.

SEVENTH SCHEDULE.

Act which is to continue in force until the 1st of May 1873, and no longer.

Date of Act.	Title of Act.
6 & 7 Vict. c. xcvi. -	87. An Act for more effectually repairing the road from the borough of Leicester to the city of Peterborough; *so far as the same relates to the Wansford and Peterborough district.*

EIGHTH SCHEDULE.

Acts which are to continue until the dates specified in each instance, and no longer.

Date of Act.	Title of Act.
G. 4. c. xvii. -	88. An Act for enlarging the term and powers of an Act passed in the thirty-seventh year of His late Majesty, for repairing the road from Hulmes Chapel in the county palatine of Chester to the South Bridge in Chelford in the said county; *which shall continue in force until the 1st of November* 1878, *and no longer.*

Date of Act.	Title of Act.
1 & 2 G. 4. c. cvii. -	89. An Act for more effectually repairing the road from Dunstable in the county of Bedford to the Pondyards in the county of Hertford; *which shall continue in force until the* 1*st of November* 1877, *and no longer.*
3 G. 4. c. lxix. -	90. An Act for repairing and amending several roads leading to and from the borough of Evesham in the county of Worcester, and several other roads in the counties of Worcester and Gloucester; *which shall continue in force, so far as the same relates to the Bretforton and Stonebow Divisions of the First District of Roads, until the* 1*st of November* 1875, *and no longer.*
5 G. 4. c. xxiv. -	91. An Act for amending, repairing, and maintaining the road from Sandon, in the county of Stafford to Bullock Smithy in the county of Chester, and from Hilderstone to Draycott-in-the-Moors, and from Wetley Rocks to Tean in the said county of Stafford; *which shall continue in force, so far as the same relates to the Sandon, Hugbridge, Hilderstone, and Draycott-in-the-Moors, or Leek District of the Road, until the* 1*st of November* 1878, *and no longer.*
6 G. 4. c. xiii. -	92. An Act for repairing the road from Stockton to Barnard Castle in the county of Durham; *which shall continue in force until the* 1*st of November* 1873, *and no longer.*
11 G. 4. c. xciii. -	93. An Act for more effectually repairing and improving the road leading from the town of Stamford to the Division Stone in South Witham in the county of Lincoln; *which shall continue in force until the* 31*st of December* 1873, *and no longer.*
1 W. 4. c. xli. -	94. An Act for repairing the road from the city of Coventry to Over Whitacre in the county of Warwick; *which shall continue in force until the* 1*st of November* 1875, *and no longer.*
3 W. 4. c. lxxiv. -	95. An Act for more effectually repairing and otherwise improving the road from Warrington to Wigan in the county palatine of Lancaster; *which shall continue in force until the* 31*st of March* 1877, *and no longer.*
6 W. 4. c. xix. -	96. An Act for making and maintaining a turnpike road from Saint Leonard's and Saint Mary Magdalen to the Royal Oak Inn at Whatlington, and through Sedlescomb to Cripp's Corner, in the parish of Ewhurst in the county of Sussex; *which shall continue in force until the* 1*st of November* 1875, *and no longer.*
6 W. 4. c. xlvi. -	97. An Act for making and maintaining as turnpike a road leading from the Flimwell to Hastings Turnpike Road at or near Beauport in the parish of Hollington to Hastings in the county of Sussex; *which shall continue in force until the* 1*st of November* 1875, *and no longer.*
2 & 3 Vict. c. xlvi. -	98. An Act to amend an Act passed in the sixth year of His late Majesty King William the Fourth for making a turnpike road from Saint Leonard's and Saint Mary Magdalen to the Royal Oak Inn at Whatlington, and through Sedlescomb to Cripp's Corner, in the parish of Ewhurst in the county of Sussex; *which shall continue in force until the* 1*st of November* 1875, *and no longer.*
3 Vict. c. xxxv. -	99. An Act for more effectually repairing and improving certain roads near Torquay, Paignton, Brixham, Kingswear, Newton Abbot, and Shaldon, and for making certain new roads connected therewith, all in the county of Devon; *which shall continue in force until the* 1*st of November* 1874, *and no longer.*

NINTH SCHEDULE.

Acts which are to continue in force until the dates specified in each instance, and no longer, subject to modifications.

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
58 G. 3. c. lxxii. -	100. An Act for repairing the road from Chipping Campden in the county of Gloucester to Clifford Side Gate in the parish of Old Stratford in the county of Warwick.	The entire Act	1 November 1872 -	Repair of roads limited to 135*l.* per annum. Rate of interest not to exceed 2*l.* 10*s.* per cent. per annum.	1*st of November* 1876, *and no longer.*	—
59 G. 3. c. xliii. - -	101. An Act for continuing the term and enlarging the powers of three Acts of the reign of His late and present Majesty for amending several roads therein mentioned, so far as relate to the road from Wrexham in the county of Denbigh to Pentre Bridge in the county of Flint; and for making a new branch of road from the said road at a place near Abermorddu to Mold in the said county of Flint.	The entire Act	1 November 1872 -	Repair of roads limited to 300*l.* per annum. Salaries limited to 40*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1876, *and no longer.*	—
1 G. 4. c. xxiv. - -	102. An Act to continue and amend three Acts passed in the second, twenty-second, and thirty-ninth years of His late Majesty King George the Third for repairing the road from the turnpike road at Weyhill in the county of Southampton to the turnpike road at Lyde Way in the county of Wilts.	The entire Act	1 November 1872 -	Salaries limited to 25*l.* per annum. No interest payable.	1*st of November* 1873, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
1 G. 4. c. xlv. - -	103. An Act for more effectually repairing and improving the road from the town of Pool in the county of Montgomery, through Oswestry in the county of Salop, to Wrexham in the county of Denbigh, and several other roads therein mentioned, in the said counties and in the county of Merioneth; and for making several new branches of roads to communicate with the said roads in the counties of Salop, Montgomery, and Denbigh.	*So far as the same relates to the Wrexham, Ruabon, and Llangollen District of the road.*	1 November 1872 -	Repair of roads limited to 400*l.* per annum. No interest payable.	1*st of November* 1876, *and no longer.*	Arrears of interest extinguished.
3 G. 4. c. xliii. - -	104. An Act for continuing the term and enlarging the powers of several Acts passed for repairing the roads therein mentioned in the counties of Denbigh, Flint, and Carnarvon, so far as relate to the road from Wrexham to Denbigh in the county of Denbigh, and for amending the road from Ruthin to Cerniogemawr in the parish of Llanrhydd in the county of Denbigh.	The entire Act	1 November 1872 -	Repair of roads limited to 400*l.* per annum. Salaries limited to 50*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1878, *and no longer.*	—
4 G. 4. c. xlv. - -	105. An Act for more effectually amending the road from Wrexham in the county of Denbigh to Barnhill in the county of Chester; and for making and keeping in repair the road branching out of the said road at Pwll-ŷ-rhwyd to the borough of Holt in the said county of Denbigh.	The entire Act	1 November 1872 -	Repair of roads limited to 110*l.* per annum. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1879, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
4 G. 4. c. cv.	106. An Act for amending, improving, and keeping in repair the road leading from the turnpike road in the Horse Fair in the town of Banbury in the county of Oxford, through Swalcliffe in the said county of Oxford, and through Brailes in the county of Warwick to the bridge crossing the river Stour in the parish of Barcheston in the said county of Warwick.	The entire Act	1 November 1872	Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1879, *and no longer.*	—
4 G. 4. c. cxxi.	107. An Act for more effectually repairing the roads leading from a place called the Welsh Harp in the township of Stonnall in the county of Stafford to Stone Bridge, and from Castle Bromwich to Birmingham in the county of Warwick.	The entire Act	1 November 1872	Salaries limited to 50*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	31*st of March* 1877, *and no longer.*	—
6 G. 4. c. cxlii.	108. An Act for making and maintaining a turnpike road from the town of Birmingham to or near the town of Pershore.	The entire Act	1 November 1872	Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1879, *and no longer.*	—
9 G. 4. c. lxxvii.	109. An Act to alter, amend, and enlarge the powers and provisions of several Acts relating to the road from Chester to Wrexham in the city and county of Chester, and the counties of Flint and Denbigh.	The entire Act	1 November 1872	Repair of roads limited to 180*l.* per annum. Salaries limited to 50*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1877, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
1 W. 4. c. xiv. - -	110. An Act for repairing the Watling Street Road, the Mancester and Wolvey Heath Road, and other roads communicating therewith, in the counties of Leicester and Warwick.	*So far as the same relates to the Mancetter and Wolvey Heath Road.*	1 November 1872 -	No money to be expended in repairs. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1875, *and no longer.*	—
1 W. 4. c. xxxvi. -	111. An Act for more effectually repairing and improving the roads from Lemsford Mills in the parish of Bishop's Hatfield, through Welwyn and Stevenage, to Hitchin, and from Welwyn, through Codicot, to Hitchin aforesaid, all in the county of Hertford.	The entire Act	1 November 1872 -	Repair of roads limited to 120*l.* per annum. Salaries limited to 75*l.* per annum. Rate of interest not to exceed 2*l.* 10*s.* per cent. per annum.	1*st of November* 1877, *and no longer.*	—
1 W. 4. c. xl. - -	112. An Act for making and maintaining a turnpike road from the city of Coventry to Stoney Stanton in the county of Leicester, to unite with the present turnpike road there leading through Narborough to the borough of Leicester.	The entire Act	1 November 1872 -	Repair of roads limited to 200*l.* per annum. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 1*l.* per cent. per annum.	1*st of November* 1874, *and no longer.*	—
1 W 4. c. lxvi. - -	113. An Act for more effectually repairing several roads in and near the town of Bruton, and other roads, in the counties of Somerset and Wilts, and for making and maintaining two other roads communicating therewith.	The entire Act	1 November 1872 -	No money to be expended in repairs. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 1*l.* per cent. per annum.	1*st of May* 1876, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
7 W. 4. c. xvi. - -	114. An Act for more effectually repairing the road from the turnpike road between Gateshead and Hexham, near Lobley Hill in the county of Durham, to Burtryford in the parish of Stanhope in the same county, together with several branches therefrom.	The entire Act	1 January 1873 -	No money to be expended in repairs. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1874, *and no longer.*	Arrears of interest extinguished.
1 Vict. c. xvi. - -	115. An Act for more effectually repairing and maintaining the road from Top of Odsall, near Bradford, through Wibsey Low Moor, to Huddersfield in the West Riding of the county of York.	The entire Act	1 November 1872 -	No money to be expended in repairs. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 1*l.* per cent. per annum.	1*st of November* 1875, *and no longer.*	Arrears of interest extinguished.
1 Vict. c. xvii. - -	116. An Act for repairing, amending, and maintaining the road from Shrewsbury, through Ellesmere in the county of Salop, to Wrexham in the county of Denbigh, and other roads branching out of the same.	*So far as the same relates to the Ellesmere district.*	1 November 1872 -	Repair of roads limited to 100*l.* per annum. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 1*l.* per cent. per annum.	1*st of November* 1879, *and no longer.*	—
1 & 2 Vict. c. lxxvi. -	117. An Act to repeal the Wadsley and Langset Turnpike Road Act, so far as relates to the Wadsley and Langset district of the said road, in the West Riding of the county of York, and to make new provisions in lieu thereof; and also for extending the said district of road to or near to Moorfields in the parish of Sheffield; and for other purposes.	The entire Act	1 November 1872 -	No money to be expended in repairs. Rate of interest not to exceed 1*l.* per cent. per annum.	31*st of December* 1875, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
2 Vict. c. xxiii. - -	118. An Act for repairing and maintaining the road from the town of Rugby to the borough of Warwick, all in the county of Warwick.	The entire Act	1 November 1872 -	Salaries limited to 30*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1878, *and no longer.*	——
3 Vict. c. xi. - -	119. An Act for making a turnpike road from West Kennet to Amesbury in the county of Wilts, with branches therefrom.	The entire Act	1 November 1872 -	No money to be expended in repairs. Salaries limited to 30*l.* per annum. No interest payable.	1*st of November* 1877, *and no longer.*	——
3 Vict. c. xxii. - -	120. An Act for making and maintaining a new road from the road at Worle to a road in the parish of Kewstoke leading to Locking and Weston-super-Mare in the county of Somerset.	The entire Act	1 November 1872 -	Rate of interest not to exceed 2*l.* 10*s.* per cent. per annum.	1*st of November* 1882, *and no longer.*	Arrears of interest extinguished.
3 Vict. c. xxxvi. - -	121. An Act for more effectually repairing several roads leading from the town of Taunton in the county of Somerset, and for making several deviations and new lines of road connected therewith.	The entire Act	1 November 1872 -	Rate of interest not to exceed 3*l.* per cent. per annum.	31*st of December* 1875, *and no longer.*	——
3 Vict. c. xxxvii. -	122. An Act for more effectually repairing the road from the Honiton Turnpike Road near Yard Farm in the parish of Upottery in the county of Devon, towards Ilminster, to the eastern boundary of the parish of Buckland Saint Mary in the county of Somerset, and for making, maintaining, and repairing several other roads communicating therewith, in the counties of Devon, Somerset, and Dorset.	The entire Act	1 November 1872 -	No interest payable	1*st of November* 1876, *and no longer.*	Arrears of interest extinguished.

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Date up to which Continuation is directed.	7. Arrears of Interest extinguished.
3 Vict. c. lxxx.	123. An Act for repairing and maintaining the road from Tadcaster to Halton Dial, and for making and maintaining a new road from Seacroft to and into the highway leading from Scholes to Barwick-in-Elmet, all in the west riding of the county of York.	*So far as the same relates to the Tadcaster to Halton Dial Road.*	1 November 1872	Repair of roads limited to 300*l.* per annum. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 4*l.* per cent. per annum.	31*st of December* 1873, *and no longer.*	—
		So far as the same relates to the Seacroft to Scholes Road.	1 November 1872	No interest payable	1*st of November* 1882, *and no longer.*	Arrears of interest extinguished.
3 Vict. c. lxxxiv.	124. An Act for repairing the road from the Maidstone turnpike gate on the Loose Road in the parish of Maidstone in the county of Kent to Newcastle in the parish of Biddenden, and a branch road to the Thorn in the parish of Smarden in the same county.	The entire Act	1 November 1872	Repair of roads limited to 150*l.* per annum. Salaries limited to 35*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1880, *and no longer.*	—
4 Vict. c. xxxiv.	125. An Act for repairing the roads from Coventry to Warwick, and from Coventry to Martyn's Gutter, in the county of the city of Coventry and in the county of Warwick, and other roads communicating therewith, in the said county of Warwick.	The entire Act	1 November 1872	Repair of roads limited to 300*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1875, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified, and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
4 & 5 Vict. c. ci. -	126. An Act for repairing the road from Blakedown Pool in the parish of Hagley in the county of Worcester into the borough of Birmingham in the county of Warwick.	The entire Act	1 November 1872 -	Salaries limited to 100*l.* per annum. Rate of interest not to exceed 3*l.* per cent. per annum.	1*st of November* 1877, *and no longer.*	——
6 & 7 Vict. c. xcvi. -	127. An Act for more effectually repairing the road from the borough of Leicester to the city of Peterborough.	*So far as the same relates to the Leicester district.*	1 November 1872 -	Repair of roads limited to 400*l.* per annum. Rate of interest not to exceed 1*l.* per cent. per annum.	1*st of November* 1876, *and no longer.*	——
		So far as the same relates to the Uppingham district.	1 November 1872 -	Repair of roads limited to 150*l.* per annum. Rate of interest not to exceed 1*l.* per cent.	1*st of November* 1876, *and no longer.*	——
7 & 8 Vict. c. lxxiii. -	128. An Act for more effectually repairing the road from Market Harborough in the county of Leicester to the city of Coventry.	The entire Act	——	——	31*st of December* 1874, *and no longer.*	Arrears of interest extinguished.
11 & 12 Vict. c. cviii. -	129. An Act for authorising the Trustees of the Tadcaster and Halton Dial Turnpike Road to make a diversion or alteration of such part of the line of the Tadcaster and Halton Dial Turnpike Road as lies in the parish of Tadcaster in the west riding of the county of York.	The entire Act	1 November 1872 -	Repair of roads limited to 300*l.* per annum. Salaries limited to 30*l.* per annum. Rate of interest not to exceed 4*l.* per cent. per annum.	31*st of December* 1873, *and no longer.*	——

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
13 & 14 Vict. c. lxiv. -	130. An Act to amend an Act passed in the fifty-fifth year of the reign of King George the Third, intituled An Act for more effectually repairing the road leading from Heronsyke to Kirkby in Kendal, and from thence through Shap to Eamont Bridge in the county of Westmoreland, and for making a new road from the said road at a place called Far Cross Bank, near Kirkby in Kendal, to communicate with the intended canal from Lancaster to Kirkby in Kendal, and to join the said road at or near a place called the Lound, near Kirkby in Kendal aforesaid; and to continue the term by the same Act granted.	The entire Act	1 November 1872 -	Salaries limited to 15*l.* per annum. Rate of interest not to exceed 2*l.* 10*s.* per cent. per annum.	1*st of November* 1882, *and no longer.*	—
13 & 14 Vict. c. lxvii. -	131. An Act for continuing and enlarging the term and powers of three Acts passed in the reign of His Majesty King *George the Third* for repairing and widening several roads leading to and from the towns of Bala and Dolgelley in the county of Merioneth, and other roads therein mentioned, in the counties of Montgomery, Denbigh, and Salop, and for repairing several other roads in the counties of Merioneth and Denbigh.	*So far as the same relates to the Bala District.*	1 November 1872 -	Salaries limited to 40*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1879, *and no longer.*	—
		So far as the same relates to the Dolgelley, Mowddwy, and Towyn District.	1 November 1872 -	Salaries limited to 70*l.* per annum. Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1882, *and no longer.*	—
		So far as the same relates to the Edernion District.	1 November 1872 -	Repair of roads limited to 90*l.* per annum. Salaries limited to 40*l.* per annum. No interest payable.	1*st of November* 1882, *and no longer.*	—
		So far as the same relates to the Festiniog, Maentwrog, and Harlech District.	1 November 1872 -	No interest payable	1*st of November* 1882, *and no longer.*	—

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Dates from which Modifications are to commence.	5. Modifications.	6. Dates up to which Continuation is enacted.	7. Arrears of Interest extinguished.
13 & 14 Vict. c. lxxi. -	132. An Act to amend and extend the provisions of the Act relating to the Garstang and Heiring Syke Turnpike Road.	The entire Act	1 November 1872 -	Rate of interest not to exceed 1*l.* per cent. per annum.	1*st of November* 1882, *and no longer.*	—
13 & 14 Vict. c. lxxxi.-	133. An Act for continuing the term of the Cromford and Newhaven Turnpike Road Act, and for other purposes.	The entire Act	1 November 1872 -	Repair of roads limited to 120*l.* per annum. Rate of interest not to exceed 1*l.* per cent. per annum.	31*st of December* 1878, *and no longer.*	—
13 & 14 Vict. c. xc. -	134. An Act for continuing the term of "The Birmingham and Pershore Turnpike Road Act," and for other purposes.	The entire Act	1 November 1872 -	Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1879, *and no longer.*	—

TENTH SCHEDULE.

Act which is to continue in force to a specified date, and no longer, unless Parliament in the meantime otherwise provides.

1. Date of Act.	2. Title of Act.	3. Extent to which Act is modified and continued.	4. Date from which Modification is to commence.	5. Modification.	6. Date to which Continuation is enacted.
13 & 14 Vict. c. lxvi. -	135. An Act for continuing the term of an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled An Act for building a bridge over the River Severn at or near to the Mythe Hill within the parish and near to the town of Tewkesbury in the county of Gloucester, to the opposite side of the said river in the parish of Bushley in the county of Worcester, and for making convenient roads and avenues to communicate with such bridge, within the counties of Gloucester and Worcester, and of another Act passed in the seventh year of the reign of His said late Majesty King George the Fourth, intituled An Act for altering, amending, and enlarging the powers and provisions of an Act relating to the Tewkesbury Severn Bridge and roads, for the purpose of paying off the debt now due on the said bridge and roads.	*So far as the same relates to the bridge over the River Severn at or near to the Mythe Hill.*	1st November 1872 -	Rate of interest not to exceed 2*l.* per cent. per annum.	1*st of November* 1883, *or, if the principal of the debt is paid off earlier, then at the time when it is so paid off.*

ELEVENTH SCHEDULE.

Acts which are to continue until the 1st of November 1873, and no longer, unless Parliament in the meantime otherwise provides.

County.	Name of Trust.	No. of Trust.
	PART I.	
Bedford	Hockliffe and Woburn	10
Berks	Fyfield, St. John's Bridge, and Newbridge	40
	Hurley	21
Chester	Sandbach and Congleton	43
Cornwall	Hayle and Redruth	57
	Trebarwith Sands	17
Derby	Ashford and Buxton and Tideswell, Blackwell and Edensor, United	34
Devon	Combmartin	53
	Cullompton	58
	Modbury	46
	Southmolton	60
	Teignmouth and Dawlish	48
	Totnes and Bridgetown Pomeroy	42, 44
	Totnes Bridge	
Dorset	Dorchester and Wool	29
Durham	Edmondbyers	3
Gloucester	Nailsworth, Woodchester, and Dudbridge	11
	Ditto Nailsworth and Avening Branch	
Hertford	Baldock and Bournbridge	38
Lancaster	Adlington and Westhoughton	23
	Barton Bridge and Stretford	35
	Clitheroe to Blackburn and Mellor Brook	59
	Hulton	24
	Radcliffe	45
	Rochdale Lane End to Land's End in Heaton	8
Leicester	Melton Mowbray and Grantham	14
Norfolk	North Walsham	32
Northampton	Towcester and Cotton End	55
Nottingham	Clown and Budby	31
	Hockerton and Kirklington	6
Salop	Bridgnorth and Shiffnal	16
	Coalbrookdale and Wellington	4
Somerset	Wincanton	7
Stafford	Albrighton and Tong	33
	Ashborne and Leek	22, 26, 51
	Darlaston	50
	Darley Moor and Ellaston	36
	Great Chell and Shelton	37
	Tunstall and Bosley	
Surrey	Godalming and Painshill	20
Sussex	Flimwell and Hastings and Robertsbridge Clappers, United	79a
	Horsham and Crawley	13
	Horsham and Guildford	27
Warwick	Rugby and Hinckley	39
	Rugby and Kilworth	15
	Rugby and Lutterworth	56
Westmoreland	Brough and Bowes, and Maiden Castle and Barrow's Brow to the Coal Works, United	1
	Brough and Middleton	5

County.	Name of Trust.	No. of Trust.
Wilts	Malmesbury, Third District	28
	Melksham	12
York	Barnsley and Grange Moor	19
	Elland and Brighouse	52
	Elland and Saddleworth	54
	Leeds and Otley	49
	Lees and Hebden Bridge	2
	Wakefield and Sheffield	47, 96
Carnarvon	Penmachnô	18
	Yspytty	9
Denbigh	Denbigh and Pentre Voelas	18
Flint	Whitchurch and Marchwiel	30a
Montgomery	Montgomeryshire, First District:—	
	Abermule by Glanmule	41
	Berriew to the Addfa	
	Efelfach to Tregynon	
	Llangerrig to Tynycoed	
	Llanidloes to Steddfagerrig and Tylwch	
	Llanidloes to Caersws and Rhydyporthman	
	Montgomery to Garth Mill	
	Newtown and Caersws to Pontdolgoch	
	Newtown to Camnant Bridge	
	Newtown and Kerry to the Blue Bell	
	Newtown to Llanidloes	
	Newtown to New Mills Bridge	
	Newtown to Talurddig	
	Rhiew Bridge to Newtown	
	Mongomeryshire, Second District	
	Montgomeryshire, Third District	
	Ditto Blackwaters and Rednall Branch	
	Montgomeryshire, Fourth District	
	PART II.	
Berks	Wallingford, Wantage, and Faringdon	73
Chester	Woodside and Hoylake	77
Derby	Derby, Ashborne, and Hurdloe	25, 87
	Derby, Duffield, Wirksworth, and Sheffield	88
	Sheffield and Glossop	95
Devon	Braunton	68
	Braunton and Ilfracombe	
	Plymouth, Eastern	64
Dorset	Wimborne and Piddletown	63
Gloucester	Cheltenham and Gloucester	82
	Cheltenham and Painswick	81
	Stroud and Gloucester	90
	Winchcomb	97
Hants	Christchurch and Lyndhurst	62
Kent	Hawkhurst Junction	76
	Woodchurch	83
Lancaster	Manchester and Ashton-under-Lyne New Road	89
Lincoln	Lincoln:—Saxilby Road	74, 79
Northampton	Brackley Roads Consolidated	93
	Market Harborough and Brampton	65, 78
Oxford	Henley and Dorchester	67
Salop	Shrewsbury, Wenlock, and Bridgnorth	86
Somerset	Ilminster	61

County.	Name of Trust.	No. of Trust.
Stafford - -	Sedgley New Roads - - - - -	69
	Ditto Old Roads - - - - -	
	Uttoxeter and Stoke, and Millwich and Sandon -	92
Suffolk - -	Lakenheath to Hockwold - - - -	85
	Mildenhall Burnt Fen - - - - -	
Sussex - -	Brighton, Shoreham, and Lancing - - -	30, 71
	Pyecombe and Hickstead - - - -	80
Westmoreland -	Millthrop and Levens - - - - -	84
Wilts - -	Bradford - - - - - -	66
	Malmesbury, First District - - - -	94
	Ditto Second District - - - -	
York - -	Dewsbury and Leeds - - - - -	70
	Huddersfield and New Hey - - - -	91
	Selby and Leeds - - - - -	72
	Tinsley and Doncaster, United - - -	75

Date of Act.	Title of Act.
53 G. 3. c. clxxxvii. -	1. An Act for enlarging the term and powers of an Act of King George the Second, and two Acts of His present Majesty, for repairing the road from Bowes in the county of York to Brough-under-Stainmore in the county of Westmorland; and for repairing and widening the road from Maiden Castle to Kaber Cross, and other roads therein mentioned, in the said counties.
54 G. 3. c. lxii. -	2. An Act for making and maintaining a road from a place called Lees in the parish of Bingley, to commence and branch off from the road leading from Cross Roads Inn to Haworth, at the north-east corner of a certain close of land called the Highfield, to Hebden Bridge in the parish of Halifax, all in the West Riding of the county of York.
55 G. 3. c. x. - -	3. An Act for repairing the road from the town of Stanhope, by Edmondbyers in the county of Durham, to the Corbridge Turnpike Road near Greenhead in the parish of Shotley in the county of Northumberland.
57 G. 3. c. xii. -	4. An Act for making and maintaining a turnpike road from and out of the turnpike road at the bottom of Coalbrook Dale in the parish of Madeley into the turnpike road leading from Shiffnal to Shrewsbury, at or near a place called Watling Street in the parish of Wellington, all in the county of Salop.
57 G. 3. c. xlv. -	5. An Act for making and keeping in repair a carriage road from or near the town of Brough-under-Stainmore in the county of Westmoreland to Middleton Bridge in the parish of Romaldkirk in the north riding of the county of York, with a branch from or near Chapel House to Eggleston Bridge in the same parish.
58 G. 3. c. vii. -	6. An Act for continuing and amending an Act of His present Majesty for repairing the roads near the towns of Hockerton, Kirklington, Southwell, Normanton, and Winkbourne, with a branch from Kirklington to the Street Gate Road, and the Newark and Southwell Turnpike Road at Great Bridge in the county of Nottingham.
58 G. 3. c. xlv. -	7. An Act for continuing and amending an Act of His late Majesty, and two Acts of His present Majesty, for repairing several roads leading to and from the town of Wincanton and the roads communicating therewith in the counties of Somerset, Wilts, and Dorset.

Date of Act.	Title of Act.
59 G. 3. c. xciii. -	8. An Act to continue the term and enlarge the powers of two Acts of His present Majesty's reign for repairing the road from Rochdale Lane End in the village of Heywood to a place called the Land's End in Prestwich in the county palatine of Lancaster.
59 G. 3. c. xcviii. -	9. An Act for further continuing the term and enlarging the powers of two Acts passed in the seventeenth year and thirty-sixth year of His present Majesty's reign for repairing and widening several roads leading to, through, and from the towns of Bala and Dolgelly in the county of Merioneth, and other roads therein mentioned in the counties of Montgomery, Denbigh, and Salop; and for repairing several other roads in the counties of Merioneth and Denbigh.
1 & 2 G. 4. c. lxxxv. -	10. An Act for amending and more effectually repairing the highway between Hockliffe and Woburn in the county of Bedford; and for repairing the road leading through Woburn to Tickford Bridge in Newport Pagnell in the county of Buckingham.
3 G. 4. c. lxi. - -	11. An Act for amending and improving the roads leading from Tiltup's Inn in the parish of Horsley to or near Dudbridge in the parish of Rodborough, and from the bridge at Nailsworth to the Cross Post on Minchinhampton Common and other roads thereto adjoining; and for making a new piece of road from the said bridge to the Cross in the parish of Avening, all in the county of Gloucester.
4 G. 4. c. xxix. -	12. An Act for amending the road from the Devizes Turnpike Road, at or near Somerham Brook, through Melksham, to the Horse and Jockey in the parish of Box in the county of Wilts, and certain other roads leading out of the said road, all in the said county.
4 G. 4. c. xlii. - -	13. An Act for making and maintaining a turnpike road from Horsham in the county of Sussex by Bewbush, to the town of Crawley in the said county.
4 G. 4. c. l. - -	14. An Act for repairing the road from Sage Cross in the town of Melton Mowbray in the county of Leicester to the town of Grantham in the county of Lincoln.
4 G. 4. c. lxiii. -	15. An Act for repairing and widening the road from Rugby in the county of Warwick to the turnpike road from Lutterworth to Market Harborough in the counties of Leicester and Northampton.
6 G. 4. c. viii. - -	16. An Act for repairing the road leading from Bridgnorth to Shiffnall, otherwise Idsall, in the county of Salop.
6 G. 4. c. lxxxiv. -	17. An Act for making and maintaining a turnpike road from Trebarwith Sands on the sea shore to Condolden Bridge, on the road leading from Bossiney to Camelford, all in the county of Cornwall.
6 G. 4. c. cxlviii. -	18. An Act for making and maintaining a turnpike road from the town of Denbigh in the county of Denbigh, to Pentre Voelas in the said county, and from thence to Fynnon Eidda in the county of Carnarvon.
6 G. 4. c. cli. - -	19. An Act for more effectually improving the roads from Barnsley Common to Grange Moor and White Cross, and for making a diversion of the said roads from or near to Redbrook in the township of Barugh to Barnsley, all in the west riding of the county of York.
7 G. 4. c. xiii. - -	20. An Act for making and maintaining a road from Godalming, through Hascomb, to Pains Hill in the county of Surrey.
7 G. 4. c. lxxvii. -	21. An Act for more effectually repairing so much of the road from Henley Bridge to Maidenhead Thicket as lies between the said bridge and the thirtieth milestone from London, in the parish of Bisham in the county of Berks.

Date of Act.	Title of Act.
7 G. 4. c. lxxix.	22. An Act for more effectually repairing the road from Ashborne in the county of Derby to Leek in the county of Stafford, and from Ryecroft Gate upon Rushton Common to Congleton in the county of Chester.
7 G. 4. c. lxxxii.	23. An Act for more effectually repairing and improving the road from West Houghton to near Halliwell Field in the township of Heath Charnock in the county of Lancaster.
7 G. 4. c. lxxxvii.	24. An Act for more effectually amending and keeping in repair the road called the Hulton Turnpike Road, lying between Knocket Wall Brook and the White Horse in West Houghton in the county palatine of Lancaster.
9 G. 4. c. lxxix.	25. An Act for diverting, widening, repairing, and improving the road from the town of Derby to the south end of Compton Street next Ashborne, and from Ashborne to Hurdloe House in the county of Derby, and that part of the said road called the Old Road leading from Hardy's Hill Toll Gate unto Compton.
10 G. 4. c. xxix.	26. An Act for amending an Act of the seventh year of His present Majesty for repairing the road from Ashborne in the county of Derby to Leek in the county of Stafford, and from Ryecroft Gate upon Rushton Common to Congleton in the county of Chester.
11 G. 4. c. vi.	27. An Act for more effectually repairing and improving the road from Horsham to the road leading to Guildford at Aldford Cross Ways, with two branches therefrom, and for making and maintaining a new branch of road to communicate therewith, all in the counties of Sussex and Surrey.
11 G. 4. c. xix.	28. An Act for more effectually repairing and improving the roads from the town of Malmesbury to Copped Hall Turnpike, Sutton Benger Church, and Dauntsey Gate in the county of Wilts.
11 G. 4. c. xxiv.	29. An Act for repairing the road from Wool Bridge to the borough of Dorchester in the county of Dorset.
11 G. 4. c. lxiii.	30. An Act for more effectually repairing and improving the road from Brighton to Shoreham, for building a bridge over the river Adur at New Shoreham, and for making a road to Lancing and a branch road therefrom, all in the county of Sussex.
1 W. 4. c. ii.	30a. An Act for repairing, amending, and maintaining the roads from Marchwiel, through Bangor, Worthenbury, and Hanmer, to Whitchurch, and from Bangor to Malpas, and from Redbrook to Hampton in the counties of Denbigh, Flint, Chester, and Salop.
1 W. 4. c. xiii.	31. An Act for more effectually repairing the road from the Rotherham and Mansfield Turnpike Road, at or near Clown in the county of Derby, to the Worksop and Kelham Turnpike Road, at or near Budby in the county of Nottingham.
1 W. 4. c. xxxii.	32. An Act for more effectually repairing and improving the road from the city of Norwich to North Walsham in the county of Norfolk.
1 & 2 W. 4. c. xxv.	33. An Act for repairing and improving certain roads in the counties of Stafford and Salop, leading to and from the town of Wolverhampton in the county of Stafford; *so far as the same relates to the Albrighton and Tong district of roads.*
2 W. 4. c. iii.	34. An Act for maintaining and improving the turnpike roads leading from Ashford to Buxton, and from Tideswell to Blackwell, and from Edensor to Ashford, all in the county of Derby.
2 W. 4. c. xxviii.	35. An Act for more effectually repairing and improving the roads leading from Barton Bridge into the Manchester and Altrincham Turnpike Road in the county of Lancaster.

Date of Act.	Title of Act.
3 W. 4. c. vii. - -	36. An Act for repairing the road from Darly Moor in the county of Derby to Ellaston in the county of Stafford, and from thence to the turnpike road between Leek in the same county and Ashborne in the county of Derby.
3 W. 4. c. liv. - -	37. An Act for more effectually repairing the road from Tunstall in the county of Stafford to Bosley in the county of Chester, and from Great Chell to Shelton in the said county of Stafford, and for making a new line and diversion of road to communicate therewith.
3 W. 4. c. lx. - -	38. An Act for more effectually repairing the road from the turnpike road in Baldock in the county of Hertford to the turnpike road at or near Bourn Bridge in the county of Cambridge.
3 W. 4. c. lxxxvii. -	39. An Act for more effectually repairing the road from Rugby Bridge in the county of Warwick to the town of Hinckley in the county of Leicester.
3 & 4 W. 4. c. xci. -	40. An Act for repairing the roads from Fyfield in the county of Berks to Saint John's Bridge in the county of Gloucester, and from Kingston Bagpuze to Newbridge in the said county of Berks.
4 W. 4. c. xxxi. -	41. An Act for improving and maintaining certain roads in the counties of Montgomery, Merioneth, Salop, and Denbigh.
5 W. 4. c. xxvi. -	42. An Act for more effectually repairing the road from the Exeter Turnpike Road to Biddaford, and certain roads leading from Bridgetown Pomeroy and Totnes, and other roads communicating therewith; and for repairing Totnes Bridge, and erecting bridges over the Stover Canal, the rivers Teign and Lemon, and the Mill Leat, all in the county of Devon.
5 W. 4. c. xxxvii. -	43. An Act for making and maintaining a road from Sandbach to Congleton in the county palatine of Chester and a branch road communicating therewith.
5 & 6 W. 4. c. civ. -	44. An Act to rectify a mistake in an Act passed in the present session of Parliament for more effectually repairing the road from the Exeter Turnpike Road to Biddaford, and certain roads leading from Bridgetown Pomeroy and Totnes, and other roads communicating therewith, and for repairing Totnes Bridge and erecting bridges over the Stover Canal, the rivers Teign and Lemon, and the Mill Leat, all in the county of Devon.
6 W. 4. c. x. - -	45. An Act for making and maintaining a turnpike road and branches leading from Radcliffe towards Bolton and Bury, all in the county of Lancaster.
6 W. 4. c. xlviii. -	46. An Act for more effectually repairing the road from the Totnes Road at Lady Down in the parish of Ugborough to within four hundred yards of the bridge over the Lary, and for repairing the road communicating therewith from Hollowcombe Cross to the town of Modbury and Dark Lane, all in the county of Devon.
6 W. 4. c. liii. - -	47. An Act for repairing and improving the road from Wakefield to Sheffield in the county of York.
6 W. 4. c. lxxxvi. -	48. An Act for more effectually maintaining the road from Teignmouth to Dawlish, and for making roads from Dawlish to the Exeter Turnpike Roads, and certain branches communicating with the same, all in the county of Devon, and to make and maintain other roads communicating with the said roads.
7 W. 4. c. xxxvi. -	49. An Act for repairing, maintaining, and improving the line of the road from Leeds to Otley in the west riding of the county of York.
7 W. 4. c. xl. - -	50. An Act for more effectually improving the several roads from Newcastle-under-Lyme to Darlaston Bridge, Butt Lane, and Linley Lane, and through Trent Vale and Stoke-upon-Trent to Shelton Wharf, all in the county of Stafford.

Date of Act.	Title of Act.
7 W. 4. c. xlv. - -	51. An Act for amending two several Acts of the seventh and tenth years of His late Majesty King George the Fourth for repairing the road from Ashborne in the county of Derby to Leek in the county of Stafford, and from Ryecroft Gate upon Rushton Common to Congleton in the county of Chester.
7 W. 4. c. xlvi. - -	52. An Act for repairing and maintaining the road leading from Elland Bridge in the parish of Halifax into the Dewsbury and Elland turnpike road, near the Obelisk in the parish of Dewsbury, all in the west riding of the county of York.
1 Vict. c. xviii. - -	53. An Act for making a turnpike road from Combmartin in the county of Devon to Bratton Down in the same county, and several other roads in the neighbourhood thereof.
1 Vict. c. xxxix. -	54. An Act for more effectually amending and improving the roads from Buckstones by Barkisland School to the Rochdale and Elland turnpike road, near the town of Elland, and from Sykehouse to the highway leading from Barkisland to Stainland, all in the west riding of the county of York.
1 Vict. c. xlv. - -	55. An Act for repairing, maintaining, and improving the road leading from Towcester to the turnpike road in Cotton End in the parish of Hardingston in the county of Northampton.
1 & 2 Vict. c. lxxv. -	56. An Act for repairing and maintaining the road from Lutterworth Hand on the Watling Street road, through Churchover, Brownsover, Newbold-upon-Avon, Rugby, and Bilton, in the county of Warwick, to the turnpike road between Dunchurch and Hillmorton in the said county.
2 Vict. c. xii. - -	57. An Act for making a turnpike road from the town of Redruth in the county of Cornwall to and through the village of Hayle in the parish of Phillack in the same county.
2 Vict. c. xx. - -	58. An Act for more effectually repairing and maintaining the road from Padbrooke Bridge in the parish of Cullompton to Hazel-Stone in the parish of Broadclist, all in the county of Devon.
2 Vict. c. xxix. - -	59. An Act for repairing, improving, and maintaining the roads from Clitheroe through Whalley to Blackburn and Mellor Brook in the county palatine of Lancaster, and for making a new piece of road to communicate therewith.
2 & 3 Vict. c. xlix. -	60. An Act for making and repairing several roads leading to and from the town of Southmolton in the county of Devon.
4 Vict. c. xix. - -	61. An Act for more effectually repairing and improving certain roads passing through or near the town of Ilminster in the county of Somerset.
4 Vict. c. xxii. - -	62. An Act for more effectually repairing the road from the western side of the New Forest near Christchurch to the boundary of the parish of Lyndhurst, all in the county of Hants.
4 Vict. c. xxiii. - -	63. An Act for making a turnpike road from Wimborne Minster in the county of Dorset to Piddletown in the same county, with certain branches therefrom.
4 Vict. c. xxxii. -	64. An Act for repairing the road leading from Brent Bridge in the county of Devon to Gasking Street in or near the borough of Plymouth in the said county.
4 Vict. c. xxxv. -	65. An Act for more effectually repairing and improving the road from Market Harborough in the county of Leicester to Brampton in the county of Huntingdon.
4 & 5 Vict. c. xcix. -	66. An Act for more effectually repairing and maintaining several roads leading to and from the town of Bradford in the county of Wilts, and for maintaining a bridge over the river Avon at Stokeford in the said county.
4 & 5 Vict. c. c. -	67. An Act for repairing the roads leading from Henley-upon-Thames to Culham Bridge, and to the Chancellor's Milestone near Magdalen Bridge in the county of Oxford.

Date of Act.	Title of Act.
4 & 5 Vict. c. cii. -	68. An Act for repairing the turnpike road from Barnstaple to Braunton in the county of Devon, and for making certain new lines of road to communicate with the same.
4 & 5 Vict. c. ciii. -	69. An Act for repairing and improving the roads commonly called the Sedgley roads in the county of Stafford, and for making a new line of road connected therewith in the said county.
4 & 5 Vict. c. civ. -	70. An Act for repairing the road from Dewsbury to Leeds in the west riding of the county of York, and for making and repairing a new line of road leading therefrom.
4 & 5 Vict. c. cv. -	71. An Act to amend an Act passed in the eleventh year of the reign of King George the Fourth for repairing and improving the road from Brighton to Shoreham and Lancing in the county of Sussex, and for other purposes connected therewith.
4 & 5 Vict. c. cvi. -	72. An Act for repairing and improving the road from Selby to Leeds in the west riding of the county of York.
4 & 5 Vict. c. cvii. -	73. An Act for repairing, improving, and maintaining the road from a place in the parish of Nuffield in the county of Oxford, through Wallingford and Wantage, to Faringdon in the county of Berks.
4 & 5 Vict. c. cviii. -	74. An Act for more effectually repairing, maintaining, and improving certain roads leading to and from the city of Lincoln; *so far as the same relates to the Saxilby Road.*
4 & 5 Vict. c. cix. -	75. An Act for repairing the turnpike road from Tinsley to Doncaster, and for making certain new lines of road to communicate with the same, all in the west riding of the county of York.
4 & 5 Vict. c. cx. -	76. An Act for making and maintaining a turnpike road from Cripps Corner in the parish of Ewhurst in the county of Sussex to Gills Green in the parish of Hawkhurst in the county of Kent.
4 & 5 Vict. c. cxiv. -	77. An Act for maintaining and repairing, as turnpike, a certain road commencing at or near the north-west gate of the Woodside Hotel stableyard in the township or chapelry of Birkenhead, and terminating at or near the cottage of Henry Berry in the township of Little Meols in the parish of West Kirby in the county of Chester; and for levying tolls for that purpose.
5 Vict. c. lxix. - -	78. An Act to amend the provisions of an Act passed in the fourth and fifth years of the reign of Her present Majesty, intituled An Act for more effectually repairing and improving the road from Market Harborough in the county of Leicester to Brampton in the county of Huntingdon.
5 Vict. c. lxxi. - -	79. An Act to explain and amend an Act passed in the fourth and fifth years of the reign of Her present Majesty for more effectually repairing, maintaining, and improving certain roads leading to and from the city of Lincoln; *so far as the same relates to the Saxilby Road.*
12 & 13 Vict. c. 65. -	79a. An Act for more effectually managing and repairing the road leading from Flimwell Vent, in the county of Sussex, to the town and port of Hastings, in the said county.
14 Vict. c. i. - -	80. An Act for repairing and managing the roads from the Brighthelmston Road at Pyecombe to Hand Cross, and from Pyecombe to the Henfield Road at Poynings Common in the county of Sussex.
14 Vict. c. xi. - -	81. An Act to extend and amend the provisions of the Act relating to the Cheltenham and Painswick District of Turnpike Road in the county of Gloucester, and to create a further term therein.
14 Vict. c. xii. - -	82. An Act to amend and extend the provisions of the Acts relating to the Cheltenham and Gloucester District of Turnpike Roads in the county of Gloucester, and to create a further term therein.

Date of Act.	Title of Act.
14 Vict. c. xv.	83. An Act to amend and extend the provisions of an Act for widening and improving the road leading from the turnpike road in the town of Tenterden, through Woodchurch, to Warehorne, and the road leading out of the turnpike road in the parish of Bethersden, through Woodchurch, to Appledore in the county of Kent; and to create a further term therein.
14 Vict. c. xvii.	84. An Act to amend an Act passed in the third year of the reign of King George the Fourth, intituled An Act for more effectually repairing the roads from Nether Bridge to Levens Bridge, and from thence through the town of Millthrop to Dixes, and from the town of Millthrop to Hangbridge, and from thence to join the Heronsyke Turnpike Road near Clawthrop Hall in the county of Westmoreland.
14 Vict. c. xviii.	85. An Act for more effectually repairing the road from Beck Fen Lane in the parish of Mildenhall in the county of Suffolk to Littleport in the Isle of Ely and county of Cambridge, and other roads therein mentioned in the counties of Norfolk and Suffolk.
14 Vict. c. xxiv.	86. An Act for repairing the road leading from Shrewsbury to Bridgnorth, and several other roads therein mentioned.
14 Vict. c. xxxiv.	87. An Act for continuing the term of the Derby, Ashborne, and Hurdloe Road Act, and for other purposes.
14 Vict. c. xxxvii.	88. An Act for repairing and managing the roads from the north end of the town of Derby in the county of Derby to Sheffield in the county of York, and from Duffield to Wirksworth in the county of Derby.
14 Vict. c. xli.	89. An Act to continue the term of the Act of the sixth year of George the Fourth, chapter fifty-one (Local), so far as relates to the turnpike road between Manchester and Audenshaw in the parish of Ashton-under-Lyne, all in the county palatine of Lancaster, and to make better provision for the repair of the road, and for other purposes.
14 & 15 Vict. c. l.	90. An Act for repairing the road from the town of Stroud in the county of Gloucester through Pitchcomb into the city of Gloucester.
14 & 15 Vict. c. lix.	91. An Act to amend an Act passed in the sixth year of the reign of King George the Fourth, intituled An Act for repairing and maintaining the road from Huddersfield in the West Riding of the county of York to New Hey in the parish of Rochdale in the county of Lancaster, with a branch to Toothill Lane in the said riding, and for making a new road from Buckstones to the highway leading from Ripponden to Stainland at or near to Barkisland School, and to continue the term thereby granted.
14 & 15 Vict. c. lx.	92. An Act for managing and repairing the roads leading from Uttoxeter to Stoke near Stone, and from Millwich to Sandon, in the county of Stafford.
14 & 15 Vict. c. lxi.	93. An Act to extend the term and alter the provisions of two Acts relating to the Buckingham, Brackley, and Banbury Turnpike Road, and of an Act relating to the Towcester, Brackley, and Weston on the Green Turnpike Road, and to consolidate the management of the said turnpike roads.
14 & 15 Vict. c. lxxvi.	94. An Act to renew the term and continue the powers and provisions of an Act passed in the first year of the reign of His Majesty King George the Fourth, intituled An Act for more effectually repairing and improving several districts of Malmesbury Turnpike Roads, and other roads connected therewith, in the counties of Wilts, Berks, and Gloucester, so far as relates to the first and second districts.

Date of Act.	Title of Act.
14 & 15 Vict. c. cxxxiii.	95. An Act for repairing the road from Sheffield in the county of York to the Marple Bridge Road in the parish of Glossop in the county of Derby, and the branch to Mortimer's Road in the parish of Hathersage in the said county of Derby.
16 & 17 Vict. c. cxxviii.	96. An Act to authorise the opening of a diversion of the Wakefield and Sheffield Turnpike Road, and for other purposes.
23 & 29 Vict. c. clxxi.	97. An Act to continue the Winchcomb District of Turnpike Roads Trust in the county of Gloucester, and for other purposes.

CHAPTER 86.

An Act to amend the law relating to Borough and other Local Courts of Record. [10th August 1872.]

WHEREAS it is expedient to amend the law relating to Borough and other Local Courts of Record in England or Wales: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Borough and Local Courts of Record Act, 1872."

Her Majesty may direct certain enactments to extend to any local Court of Record.

2. It shall be lawful for Her Majesty from time to time by an Order in Council to direct that all or any part of the provisions of an Act passed in the first and second years of His late Majesty King William the Fourth, intituled "An Act "to enable courts of law to give relief against adverse claims "made upon persons having no interest in the subject of "such claims," and of the provisions set forth in the schedule to this Act, shall apply to all or any local Court or Courts of Record in England or Wales; and within one month after such order shall have been made and published in the London Gazette, such provisions shall extend and apply in manner directed by such Order, and any such Order may be in like manner from time to time altered and annulled; and in and by such Order Her Majesty may alter and modify such provisions as are mentioned in the schedule, so as to adapt the same to the constitution, jurisdiction, and procedure of any such court or courts, and may direct by whom and at what time or times any powers and duties incident to the provisions applied under this Act shall and may be exercised with respect to matters in such court or courts, and may

make any orders or regulations which may be deemed requisite for carrying into operation in such court or courts the provisions so applied.

Her Majesty may direct that writ, &c. may be served as specified.

3. It shall also be lawful for Her Majesty from time to time by such Order as aforesaid to direct that any writ, order, summons, or process issuing out of or made or taken in any such Court of Record may be served in such part or parts of England and Wales as shall be specified in such Order.

Two or more courts may be held at the same time.

4. Two or more courts may be held at the same time either for the trial of issues or for the ordinary proceedings of the court.

Affidavits made before any commissioner, &c.

5. Affidavits made before any commissioner or other person appointed or authorised to take affidavits, either in England or elsewhere, by the Lord High Chancellor, or by any of the superior courts or by the judges thereof, may be used in the court, and the signature of any person purporting to be such commissioner, or to be a person so appointed or authorised as aforesaid, need not be verified.

Power to send writs of execution to bailiffs of county court.

6. In all cases where final judgment shall have been obtained in any action brought in the court wherein the debt or damage does not exceed twenty pounds, exclusive of costs, and also in all cases where any rule or order shall be made by the judge for the payment of any sum of money, or any costs, charges, or expenses not exceeding the sum of twenty pounds, such court shall be at liberty to send a writ or precept for the recovery of the same to the registrar of any county court within the jurisdiction of which the defendant may possess any goods or chattels; and the registrar of such county court shall stamp or seal the same, and thereupon the high bailiff of such county court shall execute the same in the same manner as if such writ or precept had been issued out of such county court, and such high bailiff shall take all the usual and proper fees thereupon, and shall make a return of what he shall have done thereunder to the bailiff or serjeant-at-mace of the court; and in all matters done under such writ or precept, or in relation thereto, such high bailiff shall be under the direction and control of the judge of the county court of which he is high bailiff, as if such writ or precept had issued out of such county court: Provided always, that the costs of more than one writ, precept, or warrant shall not be allowed against the execution debtor unless by order of the judge of the said court.

Judge may appoint a deputy.

7. A judge of any court may appoint a deputy or assistant judge to execute any particular portion or duty of such judge, such appointment being under such orders, rules, and regulations as Her Majesty by Order in Council may direct,

provided such deputy shall be a barrister of not less than seven years standing.

Proviso as to City of London Court.

8. Provided always, that in the City of London Court the same fees shall always be taken as are for the time being taken in the county courts: Provided also, that the provisions in section 12 of the schedule shall not be applied to the City of London Court, or to the Court of Record for the Hundred of Salford.

The SCHEDULE to which the Act refers.

Interpretation of terms.

1. In the construction of the following provisions the word "court" shall be understood to mean the Court of Record to which such provisions as aforesaid, or any of them, are made applicable by an Order of Her Majesty in Council. The word "judge" shall be understood to mean the judge, deputy or assistant judge, for the time being of such court. The words "superior courts" shall be understood to mean the superior courts of common law at Westminster.

Power to judge when out of the jurisdiction to hear motions.

2. The judge may, at any time within such time and such manner as is permitted by the rules of the court, and whether the court be sitting or not, and either when within or when out of the limits of the jurisdiction of the court, hear and grant applications for rules to show cause in arrest of judgment, or for judgment non obstante veredicto, or for a repleader, or for granting new trials, or for entering nonsuits and verdicts in causes pending in the court, to the same extent and subject to the rules and regulations to be made in respect thereof in the same manner as rules and regulations are made in the court; and all rules and orders made by the judge upon the hearing of such motions out of court shall be as valid and binding upon the parties as if the same had been made during the sittings of the court.

Judge to determine fees payable to registrar and officers of the court.

3. The judge shall and he is hereby required to make and settle a table of the fees to be taken by the registrar and the bailiff or other officers of the court, and such table of fees shall be submitted to two judges of the superior courts; and if such table of fees shall be confirmed and allowed by such judges, either as such table shall have been submitted to them, or with such alterations, additions, or abatements as they shall think proper, the fees therein mentioned, and no other, may thenceforth be lawfully taken by the officer therein declared to be entitled thereunto.

Power to judge to alter fees from time to time.

4. It shall be lawful for the judge from time to time, as occasion shall require, to make and settle a new table of fees to be taken instead of the fees contained in the table of fees which shall have been made and settled as aforesaid, but such new table shall be of no validity until confirmed and allowed in the manner herein-before mentioned.

Table of fees to be exhibited.

5. The registrar shall cause a true copy of the table of fees in force for the time being to be exhibited in a conspicuous part of the office of the registrar.

A special case may be stated for the opinion of one of the

6. The parties in any action may, after issue joined by consent and by order of the registrar, state the facts of the case in the form of a special case for the opinion of any one of the superior courts,

and may agree that a judgment shall be entered in the court for the plaintiff or defendant, as such superior court shall think fit. superior courts at Westminster.

7. The registrar shall transmit such special case under seal of the court to the rule department of the master's office of the superior court in which the case is to be argued, and thereupon all such proceedings shall be taken and rules and regulations observed in the superior court as are usual with reference to cases stated for the opinion of such superior court in actions therein pending. Special case to be transmitted by the registrar to the rule department.

8. The registrar, upon the production of an office copy of the rule of the superior court made upon hearing such special case, shall enter judgment in the court in conformity with the decision of the superior court. Upon production to registrar of rule of superior court, judgment to be entered.

9. In all cases where final judgment shall be obtained in any action brought in the court, where the sum recovered, exclusive of costs, is not less than twenty pounds, and also in all cases where any rule or order shall be made by the judge for the payment of any sum of money not less than twenty pounds, it shall be lawful for any judge of any of the superior courts, either in term or vacation, upon the application of any person entitled to the benefit of such judgment, rule, or order, and upon the production of such judgment, rule, or order, under the seal of the court and signature of the proper officer, to direct such judgment, rule, or order, or a copy of such judgment, rule, or order, verified by affidavit, to be filed with the clerk of the judgments of one of the superior courts, and thereupon such judgment, rule, or order shall be of the same effect as a judgment recovered in or a rule or order made by such superior court, and all proceedings shall and may be immediately had and taken thereupon, or by reason or in consequence thereof, as if such judgment so recovered, or rule or order so made, had been originally recovered in or made by the superior court; and all the reasonable costs and charges of such application and removal shall be recovered in like manner as if the same were part of such judgment, rule, or order. Removal of judgments into the superior courts.

10. Upon the application of any of the parties to any such action depending in the court, any one of the judges of the superior courts at Westminster may order a commission to issue for the examination of witnesses upon oath at any place or places beyond the limits of England and Wales by interrogatories or otherwise, and by the same or any subsequent order or orders may give all such directions touching the time, place, and manner of such examination, and all other matters and circumstances connected with such examination, as may appear reasonable and just. Commission may be issued by a judge of a superior court to examine witnesses abroad.

11. The judge shall have power to nonsuit the plaintiff in every case in which satisfactory proof shall not be given to him entitling either the plaintiff or defendant to the judgment of the court, and shall also in every case whatever have the power, if he shall think fit, to order a new trial to be had upon such terms as he shall think reasonable, and in the meantime to stay the proceedings. Nonsuit.

12. No action entered in the court shall before judgment be removed or removable from the court into any superior court by any writ or process, except by leave of a judge of one of the superior courts in cases which shall appear to such judge fit to be tried in one of the superior courts, and upon such terms, as to payment of costs, security for debt and costs, or such other terms, as such judge shall think fit. No actions to be removed into superior courts but on certain conditions.

CHAPTER 87.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-three, and to appropriate the Supplies granted in this Session of Parliament.

[10th August 1872.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grant out of Consolidated Fund.

Issue of 24,204,468*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-three, the sum of twenty-four million two hundred and four thousand four hundred and sixty-eight pounds.

Power for the Treasury to borrow.

2. The Commissioners of Her Majesty's Treasury may borrow from time to time on the credit of the said sum of twenty-four million two hundred and four thousand four hundred and sixty-eight pounds, any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted

to Her Majesty, amounting, as appears by the said Schedule, in the aggregate to the sum of forty-three million six hundred and fifteen thousand five hundred and sixty-seven pounds three shillings and threepence, are appropriated and shall be deemed to have been appropriated as from the date of the passing of the first of the Acts mentioned in the said Schedule (A.) for the purposes and services expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act, in the same manner as if they had been contained in the body thereof.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4. If a necessity arise for incurring expenditure not provided for in the sums appropriated to naval and military services by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course, each of the departments entrusted with the control over the said services shall forthwith make application in writing to the Commissioners of Her Majesty's Treasury for their authority to defray temporarily such expenditure out of any surpluses which may have been or which may be effected by the saving of expenditure upon votes within the same department, and in such application the department shall represent to the Commissioners of the Treasury the circumstances which may render such additional expenditure necessary, and thereupon the said Commissioners may authorise the expenditure unprovided for as aforesaid to be temporarily defrayed out of any surpluses which may have been or which may be effected as aforesaid upon votes within the same department; and a statement showing all cases in which the naval and military departments have obtained the sanction of the said Commissioners to any expenditure not provided for in the respective votes aforesaid, accompanied by copies of the representations made to them by the said departments, shall be laid before the House of Commons, with the appropriation accounts of navy and army services for the year, in order that such proceedings may be submitted for the sanction of Parliament, and that provision may be made for the deficiencies upon the several votes for the said services in such manner as Parliament may determine.

The Commissioners of the Treasury shall not authorise any expenditure which may cause an excess upon the aggregate sums appropriated by this Act for naval services and for army services respectively.

Sanction for navy and army expenditure for 1870-71 unprovided for.

5. Whereas the Commissioners of the Treasury, under the powers vested in them by the Act of the session held in the thirty-third and thirty-fourth years of the reign of Her present Majesty, chapter ninety-six, have authorised expenditure not

provided for in the sums appropriated by the said Act to certain votes for naval and military services for the year ended on the thirty-first day of March one thousand eight hundred and seventy-one, to be in part temporarily defrayed out of the balances unexpended in respect of the sums appropriated to certain other votes for naval and military services for the said year; viz.,

1st. Expenditure for certain navy services unprovided for, temporarily defrayed to the extent of one hundred and fifty-nine thousand eight hundred and seventy-four pounds twelve shillings and sixpence out of the unexpended balances of certain other votes for navy services:

2d. Expenditure for certain army services unprovided for, temporarily defrayed to the extent of two hundred and fifty-five thousand nine hundred and thirty-four pounds four shillings and sixpence, out of the unexpended balances of certain other votes for army services, and to the further extent of twenty-nine thousand two hundred and forty-nine pounds three shillings and fivepence, out of sums realised in excess of the estimated appropriations in aid:

It is enacted, that the application of the said sums is hereby sanctioned.

Amendment of s. 7. of 33 & 34 Vict. c. 96. as to declarations.

6. Where a person receiving any money out of any grant made for half pay or navy non-effective service is required, in pursuance of section seven of the Appropriation Act, 1870, to subscribe any declaration, such declaration may be made and subscribed before any officer of a dockyard who is authorised to pay, on behalf of the Paymaster-General, the said money to such person.

Short title of Act.

7. This Act may be cited for all purposes as "The Appropriation Act, 1872."

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	43,615,567	3	3

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	£	£	's.	d.
Part I. Deficiencies, 1870-71 - - - -		108,475	3	3
Part II. Supplementary, 1871-72 - - -		302,624	–	–
1872-73:—				
Part III. Navy - - - - -		9,526,149	–	–
Part IV. Army - - - - -		14,824,500	–	–
Part IV. Army Purchase Commission - -		853,500	–	–
	£			
Part V. Civil Services, Class I. -	1,350,860			
Part VI. Ditto, Class II. -	1,835,648			
Part VII. Ditto, Class III. -	3,990,911			
Part VIII. Ditto, Class IV. -	2,496,051			
Part IX. Ditto, Class V. -	574,297			
Part X. Ditto, Class VI. -	525,006			
Part XI. Ditto, Class VII. -	40,631			
TOTAL CIVIL SERVICES		10,813,404	–	–
Part XII. Revenue departments, &c. - -		7,035,212	–	–
Part XIII. Advances for Greenwich Hospital and School - - - - - -		151,703	–	–
	£	43,615,567	3	3

SCHED. (A.)

SCHEDULE (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.	£	s.	d.
For the service of the years ending 31st March 1871 and 1872; Under Act 35 Vict. cap. 1.	-	-	-	411,099	3	3
For the service of the year ending 31st March 1873; viz.						
Under Act 35 Vict. cap. 1.	5,000,000	0	0			
Under Act 35 Vict. cap. 11.	6,000,000	0	0			
Under Act 35 & 36 Vict. cap. 37.	8,000,000	0	0			
Under this Act	24,204,468	0	0			
				43,204,468	0	0
TOTAL				£43,615,567	3	3

SCHED. (B.) PART 1. Deficiencies.

SCHEDULE (B.)—PART 1.

DEFICIENCIES.

SCHEDULE of SUMS granted to make good deficiencies on the several grants herein particularly mentioned for the year ended on the 31st day of March 1871; viz.:—

		£	s.	d.
CIVIL SERVICES, viz., CLASS I.	Westminster Palace; acquisition of land	1,023	19	0
	Surveys of the United Kingdom	2,121	6	0
	Portland harbour	398	10	7
	Lighthouses abroad	10,465	8	4
CLASS II.	Civil Service Commission	278	6	4
	Paymaster General's Office	49	13	2
	Stationery office and printing	13,589	10	2
	Exchequer and other offices, Scotland	577	6	2
	Lord Lieutenant's household, Ireland	1	18	8
	Charitable donations and bequests office, Ireland	4	4	0
CLASS III.	Court of Chancery, England	4,304	1	3
	County Courts	8,239	8	0
	Convict establishments in England and the colonies	7,517	14	11
	Common Law Courts, Ireland	2,051	3	7
CLASS IV.	National Portrait Gallery	194	17	2
	Public education, Ireland	12,395	16	6
	Queen's University, Ireland	198	16	11
CLASS VII.	Local dues on shipping under treaties of reciprocity	4	3	6
	Malta and Alexandria telegraph, and subsidies to telegraph companies	631	11	8
		64,047	15	11

REVENUE DEPARTMENTS.

Post Office	£9,950	4	1		
Telegraph service	£34,477	3	3		
				44,427	7	4
				£108,475	3	3

SCHEDULE (B.)—PART 2.

Sched. (B.) Part 2. Supplementary.

SUPPLEMENTARY.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1872; viz.:—

NAVY, viz.:—			
Wages to seamen		£30,000	
New works, Portsmouth		£70,000	
Miscellaneous grant to Captain Scott, R.N.		£2,000	
			102,000
CIVIL SERVICES, viz.:—		£	
CLASS I.	National Gallery enlargement	8,000	
	St. Paul's Cathedral, national thanksgiving	10,000	
	British Embassy House at Constantinople	2,000	
CLASS II.	The Mint, including coinage	3,000	
	Paymaster General's Department	2,050	
	Printing and Stationery	33,000	
CLASS III.	Court of Chancery, England	14,000	
	Police, counties and boroughs (Great Britain)	10,000	
CLASS IV.	British Museum	20,000	
CLASS V.	Diplomatic services	18,000	
CLASS VI.	Superannuation and retired allowances	27,000	
CLASS VII.	Miscellaneous expenses	4,810	
	Repayments to civil contingencies	23,304	
	Mediterranean Extension Telegraph Company	2,360	
	Abyssinia; Purchase of Abuna's crown and chalice, and presents to Prince Kassai	3,100	
			180,624
REVENUE DEPARTMENTS, viz.:—			
Customs			20,000
			302,624

SCHEDULE (B.)—PART 3.

Sched. (B.) Part 3. Navy.

NAVY.

SCHEDULE of SUMS granted to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding
		£
1.	For wages, &c. to 61,000 seamen and marines	2,674,145
2.	For victuals and clothing for seamen and marines	1,062,269
3.	For the expense of the Admiralty Office	173,767
4.	For the expense of the coast guard service, the royal naval coast volunteers, the royal naval reserve, and seamen and marine pensioners reserve	174,500
5.	For the expense of the several scientific departments of the navy	72,741

SCHED. (B.) PART 3. Navy.

No.		Sums not exceeding £
6.	For the expense of the dockyards and naval yards at home and abroad	978,983
7.	For the expense of the victualling yards at home and abroad	68,344
8.	For the expense of the medical establishments at home and abroad	59,926
9.	For the expense of the royal marine divisions	18,728
10.	For naval stores for the building, repair, and outfitting the fleet and coast guard	928,510
10.	For steam machinery, and for payments to be made for ships building by contract	477,116
11.	For new works, buildings, machinery, and repairs in the naval establishments	716,091
12.	For medicines, medical stores, &c.	70,800
13.	For martial law and law charges	16,110
14.	For the expense of various miscellaneous services	111,297
15.	For half pay, reserved and retired pay to officers of the navy and royal marines	818,626
16.	For military pensions and allowances	638,311
16.	For civil pensions and allowances	309,185
17.	For freight of ships, for the victualling and conveyance of troops, on account of the army department	156,700
	TOTAL NAVY SERVICES	£ 9,526,149

SCHED. (B.) PART 4. Army.

SCHEDULE (B.)—PART 4.
ARMY.

SCHEDULE of SUMS granted to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding £
1.	For the general staff and regimental pay, allowances, and charges of Her Majesty's land forces at home and abroad, exclusive of India	5,238,000
2.	For divine service	45,300
3.	For martial law	26,400
4.	For the medical establishments and services	247,700
5.	For militia pay and allowances	963,300
6.	For the yeomanry cavalry	79,700
7.	For the volunteer corps	473,200
8.	For the army reserve force, including enrolled pensioners	124,500
9.	For the control establishment, wages, &c.	379,700
10.	For provisions, forage, fuel, transport and other services	1,784,300
11.	For clothing establishments, services, and supplies	751,700
12.	For the supply, manufacture, and repair of warlike and other stores, for land and sea service, including establishments of manufacturing departments	1,195,800
13.	For the superintending establishment of, and the expenditure for, works, buildings, and repairs at home and abroad	855,000

SCHED. (B.) PART 4. Army.

No.		Sums not exceeding £
14.	For military education	139,400
15.	For miscellaneous services	46,600
16.	For the administration of the army	196,800
17.	For rewards for distinguished services	27,300
18.	For the pay of general officers	71,900
19.	For the full pay of reduced and retired officers and half pay	526,500
20.	For widows pensions and compassionate allowances	154,100
21.	For pensions and allowances to wounded officers	19,200
22.	For Chelsea and Kilmainham hospitals, and the in-pensioners thereof	33,900
23.	For the out-pensioners of Chelsea hospital, &c.	1,257,300
24.	For superannuation allowances, &c.	167,600
25.	For the non-effective services of the militia, yeomanry cavalry, and volunteer corps	19,300
	TOTAL ARMY SERVICES	£ 14,824,500
	ARMY PURCHASE COMMISSION.	
	For the establishment of, and expenditure to be incurred by, the Army Purchase Commissioners, and for the purchase of the remaining Commissions of gentlemen-at-arms	£ 853,500

SCHEDULE (B.)—PART 5.

CIVIL SERVICES.—CLASS I.

SCHED. (B.) PART 5. Civil Services. Class I.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding £
1.	For the maintenance and repair of the royal palaces	41,552
2.	For the royal parks and pleasure gardens	101,376
3.	For the maintenance and repair of public buildings in Great Britain; for providing the necessary supply of water; for rents of houses for the temporary accommodation of public departments, and charges attendant thereon	132,875
4.	For the supply and repair of furniture in the public departments in Great Britain	14,000
5.	For the buildings of the Houses of Parliament	29,741
6.	For erecting offices in Downing Street for the Secretaries of State for the Home and Colonial Departments, Poor Law Board, &c.	100,000
7.	For one half of the expense of erecting or improving court houses or offices for the sheriff courts in Scotland, and the expense of maintaining courts so erected or improved	12,133
8.	For works for the enlargement of the National Gallery	50,000
9.	For a grant in aid of buildings for the University of Glasgow	20,000
10.	For the extension of the Industrial Museum, Edinburgh	11,200

SCHED. (B.), PART 5. Civil Services. Class I.

No.		Sums not exceeding £
11.	For erecting a new building on the site of the wings and on a portion of the courtyard of Burlington House, and for the purchase of certain chambers in the Albany for improving such site, for the occupation of various learned bodies	47,000
12.	For erecting and maintaining certain works and buildings at the Post Office and Inland Revenue, and for certain other expenses in connection with those departments	172,389
13.	For maintenance and repair of British Museum buildings, rent of premises, supply of furniture, and other charges attendant thereon	5,229
14.	For new buildings for county courts, maintenance and repair of courts, supply of furniture, fuel, &c., and other charges attendant thereon	42,305
15.	For new buildings for the Department of Science and Art	34,896
16.	For the survey of the United Kingdom, revision of the survey of Ireland, maps for Landed Estates Court, Ireland, publication of maps, and for engraving the geological survey	127,210
17.	For constructing certain harbours, &c. under the Board of Trade	35,130
18.	For works and expenses at Portland Harbour	400
19.	For a contribution towards the establishment and maintenance of a fire brigade in the metropolis	10,000
20.	For contributions in aid of local assessments for the relief of the poor and for other purposes in respect of certain descriptions of government property, and for salaries and expenses connected with the investigation of claims for rates on government property, or for contributions in lieu of rates	35,433
21.	For the Wellington monument	3,000
22.	For the erection of a Natural History Museum	40,000
23.	For new buildings, maintenance and repair of buildings, and other expenses of the Metropolitan Police Courts	7,351
24.	For the purchase of a site, erection of building, and other expenses for new courts of justice and offices	27,300
25.	For erecting, repairing, and maintaining the several public buildings in the department of the Commissioners of Public Works in Ireland	147,983
26.	For erecting and maintaining certain lighthouses abroad	17,060
27.	For the maintenance and repairs of embassy houses abroad	700
28.	For the British embassy houses, chapel, consular offices, &c. at Constantinople, China, Japan, and Tehran	82,483
29.	For repairs of Anstruther Harbour	2,114
	TOTAL CIVIL SERVICES, CLASS I. £	1,350,860

SCHEDULE (B.)—PART 6.

CIVIL SERVICES.—CLASS II.

SCHED. (B.) PART 6. Civil Services. Class II.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding
		£
1.	For salaries and expenses in the offices of the House of Lords	44,670
2.	For salaries and expenses in the offices of the House of Commons	49,399
3.	For salaries and expenses of the department of Her Majesty's Treasury	55,269
4.	For salaries and expenses of the office of Her Majesty's Secretary of State for the Home Department and subordinate offices	82,024
5.	For salaries and expenses in the department of Her Majesty's Secretary of State for Foreign Affairs	63,985
6.	For salaries and expenses in the department of Her Majesty's Secretary of State for the Colonies	31,402
7.	For salaries and expenses in the department of Her Majesty's Most Honourable Privy Council and subordinate departments	32,397
8.	For salaries and expenses in the office of the Committee of Privy Council for Trade, and of the subordinate departments	98,235
9.	For the salaries and expenses of the office of the Lord Privy Seal	2,761
10.	For salaries and expenses of the Charity Commission for England and Wales	18,633
11.	For the salaries and expenses of the Civil Service Commission	15,916
12.	For the salaries and expenses of the office of the Copyhold, Inclosure, and Tithe Commission	18,583
13.	For the imprest expenses under the Inclosure and Drainage Acts	10,750
14.	For salaries and expenses of the department of the Comptroller and Auditor General of the Exchequer	38,256
15.	For salaries and expenses in the department of the Registrar General of Births, &c. in England	65,038
16.	For the salaries and expenses of the office of the Commissioners in Lunacy in England	14,931
17.	For the salaries and expenses of the Mint, including expenses of the coinage	79,475
18.	For salaries and expenses of the National Debt Office	17,877
19.	For charges connected with the Patent Law Amendment Act	27,178
20.	For salaries and expenses of the department of Her Majesty's Paymaster General in London and Dublin	24,841
21.	For salaries and expenses of the Local Government Board	266,849
22.	For salaries and expenses of the Public Record Office in England	22,467
23.	For salaries and expenses of the establishments under the Public Works Loan Commissioners, and the West India Islands Relief Commissioners	4,493
24.	For salaries and expenses of the offices of the Registrars of Friendly Societies in England, Scotland, and Ireland	2,369

SCHED. (B.) PART 6. Civil Services. Class II.

No.		Sums not exceeding £
25.	For stationery, printing, binding, and printed books for the several public departments, and for stationery, printing, binding, and paper, for the two Houses of Parliament, including the salaries and expenses of the Stationery Office - - - - -	396,658
26.	For salaries and expenses of the office of Woods, Forests, and Land Revenues, and of the office of Land Revenue Records and Inrolments - - - - -	24,727
27.	For salaries and expenses of the office of the Commissioners of Her Majesty's Works and Public Buildings -	40,257
28.	For Her Majesty's foreign and other secret services -	24,100
29.	For salaries and expenses of the department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain officers in Scotland, and other charges formerly paid from the hereditary revenue -	6,167
30.	For salaries and expenses of the Fishery Board in Scotland	12,502
31.	For salaries and expenses in the department of the Registrar General of Births, &c. in Scotland - - -	9,428
32.	For salaries and expenses of the Board of Lunacy in Scotland - - - - - - - -	11,011
33.	For salaries and expenses of the Board of Supervision for relief of the poor and for public health in Scotland -	17,866
34.	For salaries of the officers and attendants of the household of the Lord Lieutenant of Ireland and other expenses -	6,407
35.	For salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and subordinate departments - - -	27,289
36.	For salaries and expenses connected with the boundary survey, Ireland - - - - - - -	400
37.	For salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland - - - - - - - -	2,358
38.	For salaries and expenses of the department of the Registrar General of Births, &c., and for expenses of collecting agricultural and emigration statistics and of taking the Census in Ireland - - - - -	34,375
39.	For salaries and expenses connected with the administration of the laws relating to the poor in Ireland -	102,080
40.	For salaries and expenses of the Public Record Office, and of the keeper of the State Papers in Ireland - -	5,076
41.	For salaries and expenses of the office of Public Works in Ireland - - - - - - - -	27,149
	TOTAL CIVIL SERVICES, CLASS II. - - £	1,835,648

SCHEDULE (B.)—Part 7.

CIVIL SERVICES.—Class III.

Sched. (B.) Part 7. Civil Services. Class III.

Schedule of Sums granted to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding
		£
1.	For law charges, and for salaries, allowances, and incidental expenses, including prosecutions relating to coin, in the department of the solicitor for the affairs of Her Majesty's Treasury	49,255
2.	For criminal prosecutions at assizes and quarter sessions in England, including adjudications under the Criminal Justice and the Juvenile Offenders Acts, sheriffs expenses, salaries to clerks of assize and other officers, and for compensation to clerks of the peace	200,123
3.	For such salaries and expenses of the Court of Chancery in England as are not charged upon the Consolidated Fund	175,299
4.	For such salaries and expenses of the Superior Courts of Common Law in England as are not charged upon the Consolidated Fund	61,616
5.	For such salaries and expenses of the Court of Bankruptcy in England as are not charged upon the Consolidated Fund	39,068
6.	For salaries and expenses of the county courts	432,954
7.	For salaries and expenses of the courts of Probate and Divorce and Matrimonial Causes in England	92,460
8.	For salaries and expenses in the offices of the Registrar and Marshal of the High Court of Admiralty in England	12,938
9.	For salaries and expenses of the Office of Land Registry	5,330
10.	For salaries and expenses of the police courts of London and Sheerness	13,867
11.	For the salaries and expenses of the metropolitan police, the superannuations of the late horse and foot patrol, and the expenses of the Habitual Criminals Registry	223,734
12.	For certain expenses connected with the police in counties and boroughs in England and Wales, and with the police in Scotland	312,000
13.	For the superintendence of convict establishments and for the maintenance of convicts in England and the Colonies	448,645
14.	For maintenance of prisoners in county and borough prisons, of juvenile offenders in reformatories and industrial schools, and of criminal lunatics in private asylums in Great Britain	342,220
15.	For maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum, England	29,545
16.	For miscellaneous legal charges in England	17,850
17.	For salaries and incidental expenses connected with criminal proceedings in Scotland	71,108
18.	For salaries and expenses of the Courts of Law and Justice in Scotland and other legal charges	56,371
19.	For salaries and expenses of the offices in Her Majesty's General Register House, Edinburgh	30,074
20.	For management of prisons in Scotland, for maintenance of prisoners in the prisons at Perth and Ayr, for expenses of certain classes of criminal lunatics, and for the department for the collection of judicial statistics	23,700

SCHED. (B.) PART 7. Civil Services. Class III.

No.		Sums not exceeding
		£
21.	For the expense of criminal prosecutions and other law charges in Ireland	77,911
22.	For such of the salaries and expenses of the Court of Chancery in Ireland as are not charged on the Consolidated Fund	44,775
23.	For such of the salaries and expenses of the Superior Courts of Common Law in Ireland as are not charged on the Consolidated Fund	28,112
24.	For salaries and the incidental expenses of the Court of Bankruptcy and Insolvency in Ireland	8,600
25.	For salaries and expenses of the Landed Estates Court in Ireland	12,216
26.	For salaries and expenses of the Court of Probate and of the District Registries in Ireland	11,643
27.	For salaries and expenses of the Admiralty Court Registry in Ireland	2,060
28.	For salaries and expenses of the Office for the Registration of Deeds in Ireland	15,740
29.	For salaries and expenses in the Office for the Registration of Judgments in Ireland	3,027
30.	For salaries and expenses of the Commissioners of Police, of the police courts and of the metropolitan police, Dublin	100,823
31.	For the constabulary force, Ireland	878,639
32.	For the superintendence and inspection of Government prisons, for the Office of Registrar of habitual criminals, and for the maintenance of convicts in government prisons in Ireland	43,000
33.	For maintenance of prisoners in county and borough prisons, and the expenses of reformatories and industrial schools in Ireland	60,855
34.	For maintenance of criminal lunatics in Dundrum Criminal Lunatic Asylum, Ireland	5,573
35.	For salaries and expenses of the Four Courts Marshalsea, Dublin	2,360
36.	For certain miscellaneous legal expenses in Ireland	57,420
	TOTAL CIVIL SERVICES, CLASS III. £	3,990,911

SCHED. (B.) PART 8. Civil Services. Class IV.

SCHEDULE (B.)—PART 8.
CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

		Sums not exceeding
		£
1.	For public education in Great Britain	1,551,560
2.	For the salaries and expenses of the Department of Science and Art, and of the establishments connected therewith	237,412
3.	For salaries and expenses of the British Museum	113,201
4.	For salaries and expenses of the National Gallery, London	5,815
5.	For salaries and expenses connected with the formation of the National Portrait Gallery	2,000

SCHED. (B.) PART 8. Civil Services. Class IV.

	Sums not exceeding
	£
6. For grants in aid of the expenditure of certain learned societies in Great Britain and Ireland	12,450
7. For salaries and expenses of the University of London	9,622
8. For the salaries and expenses of the Endowed Schools Commission	14,077
9. For grants to Scottish universities	18,785
10. For the annuity to the Board of Manufactures in Scotland, in discharge of equivalents under the Treaty of Union, to be applied in maintenance of the National Gallery, School of Art and Antiquarian Museum, Scotland, and for the exhibition of the Torrie Collection, and for other purposes	2,100
11. For public education under the Commissioners of National Education in Ireland	516,081
12. For the expenses of the Office of the Commissioners of Education in Ireland	655
13. For salaries and expenses of the National Gallery of Ireland, and for the purchase of pictures	2,380
14. For the Royal Irish Academy	1,877
15. For the Queen's University in Ireland	3,860
16. For the Queen's Colleges in Ireland	4,176
TOTAL CIVIL SERVICES, CLASS IV. £	2,496,051

SCHEDULE (B.)—PART 9.
CIVIL SERVICES.—CLASS V.

SCHED. (B.) PART 9. Civil Services. Class V.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.	Sums not exceeding
	£
1. For the expenses of Her Majesty's embassies and missions abroad	233,326
2. For the consular establishments abroad, and for other expenses chargeable on the consular vote	248,982
3. In aid of colonial local revenue and for the salaries and allowances of governors, &c., and for other expenses in certain colonies	60,568
4. For the charge of the Orange River Territory (Cape of Good Hope) and the island of St. Helena	3,726
5. For expenses of the mixed commissions established under the treaties with foreign powers for suppressing the traffic in slaves	129
6. For tonnage bounties and bounties on slaves, and for expenses of the Liberated African department	11,906
7. For the Emigration Board and Emigration Officers at the different ports of this kingdom, and for certain other expenses connected with emigration	9,660
8. On account of the Treasury chest	6,000
TOTAL CIVIL SERVICES, CLASS V. £	574,297

SCHED. (B.) PART 10. ivil Services. Class VI.

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding £
1.	For superannuation and retired allowances to persons formerly employed in the public service	415,677
2.	For pensions to masters and seamen of the merchant service, and to their widows and children, under the Merchant Seamen's Fund Act, and for compensation to the late officers of the trustees of the Merchant Seamen's Fund	42,410
3.	For the relief of distressed British seamen abroad	36,000
4.	For the support of certain hospitals and infirmaries, Ireland	18,850
5.	For miscellaneous, charitable, and other allowances in Great Britain	5,951
6.	For certain miscellaneous, charitable, and other allowances in Ireland	6,118
	TOTAL CIVIL SERVICES, CLASS VI. £	525,006

SCHED. (B.) PART 11. Civil Services. Class VII.

SCHEDULE (B.)—PART 11.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding £
1.	For salaries and incidental expenses of temporary commissions	21,983
2.	For expenses of an Expedition for the purpose of pursuing a course of physical and biological investigations of the oceanic regions of the globe	2,800
3.	For costs incurred by Ex-Governor Eyre in the various criminal prosecutions instituted against him	4,133
4.	For certain miscellaneous expenses	11,085
5.	For presents to the Abyssinian Chief, Prince Kassai of Tigré	630
	TOTAL CIVIL SERVICES, CLASS VII. £	40,631

SCHED. (B.) PART 12. Revenue Departments.

SCHEDULE (B.)—PART 12.

REVENUE DEPARTMENTS.

SCHEDULE of SUMS granted to defray the charges of the several REVENUE DEPARTMENTS herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1873; viz.:—

No.		Sums not exceeding £
1.	For the salaries and expenses of the Customs Department	976,468
2.	For the salaries and expenses of the Inland Revenue Department	1,644,308
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks, and of government annuities and insurances, and of the collection of the Post Office revenue	2,609,814
4.	For the Post Office packet service (*a*)	1,134,632
5.	For the salaries and expenses of the Post Office telegraph service	669,990
	TOTAL REVENUE DEPARTMENTS £	7,035,212

(*a*) No part of this sum is to be applicable or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863 to Mr. Joseph George Churchward, or to any person claiming through or under him, by virtue of a certain contract, bearing date the 26th day of April 1859, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward by virtue of that contract, so far as relates to any period subsequent to the 20th day of June 1863.

SCHED. (B.) PART 13.

SCHEDULE (B.)—PART 13.

GREENWICH HOSPITAL AND SCHOOL.

	£
Advances during the year ending 31st March 1873 for defraying the expenses of Greenwich Hospital and School	151,703

CHAPTER 88.

An Act to continue various expiring Laws.

[10th August 1872.]

WHEREAS the several Acts mentioned in column one of the schedule to this Act are, to the extent specified in column two of that schedule, limited to expire at the times specified in respect thereof in column four of the said schedule:

And whereas it is expedient to provide for the continuance in this Act mentioned of such Acts, and of the enactments amending the same:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Expiring Laws Continuance Act, 1872.

Continuance of Acts in schedule.

2. The Acts mentioned in column one of the schedule to this Act, in so far as they are temporary in their duration, shall, to the extent in column two of the said schedule mentioned be continued until the times respectively specified in column five of the said schedule, and any enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner.

SCHEDULE.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. Continued until
(1) 5 & 6 Will. 4. c. 27. - Linen, Hempen, Cotton, and other Manufactures (Ireland).	The whole Act so far as it is not repealed.	3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.	13th August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	13th August 1873, and end of then next session.
(2) 3 & 4 Vict. c. 89. - Poor Rates, Stock in Trade Exemption.	The whole Act	- - -	1st October 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st October 1873, and end of then next session.
(3) 4 & 5 Vict. c. 30. - Survey of Great Britain.	The whole Act	33 & 34 Vict. c. 13.	31st December 1872, and end of then next session. (34 & 35 Vict. c. 95.)	31st December 1873, and end of then next session.
(4) 4 & 5 Vict. c. 35. - Copyhold Inclosure and Tithe Commissioners.	So much as relates to the appointment of and the period for holding office by Commissioners and other officers.	14 & 15 Vict. c. 53.	1st of August 1872, and end of then next session. (30 & 31 Vict. c. 143.)	1st August 1873, and end of then next session.
(5) 4 & 5 Vict. c. 59. - Application of Highway Rates to Turnpike Roads.	The whole Act	- - -	1st October 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st October 1873, and end of then next session.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. Continued until
(6) 5 & 6 Vict. c. 123. - Lunatic Asylums (Ireland).	The whole Act	34 & 35 Vict. c. 22.	1st August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st August 1873, and end of then next session.
(7) 10 & 11 Vict. c. 32. - Landed Property Improvement (Ireland).	As to powers of commissioners.	12 & 13 Vict. c. 59. 13 & 14 Vict. c. 31. 25 & 26 Vict. c. 29. 29 & 30 Vict. c. 40.	1st January 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st September 1873, and end of then next session.
(8) 10 & 11 Vict. c. 98. - Ecclesiastical Jurisdiction.	As to provisions continued by 21 & 22 Vict. c. 50.	- - -	1st August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st August 1873, and end of then next session.
(9) 11 & 12 Vict. c. 32. - County Cess (Ireland).	The whole Act	20 & 21 Vict. c. 7.	1st August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st August 1873, and end of then next session.
(10) 11 & 12 Vict. c. 107. - Sheep and Cattle Diseases.	The whole Act as to Ireland.	16 & 17 Vict. c. 62. 29 & 30 Vict. c. 4. 33 & 34 Vict. c. 36.	20th August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	20th August 1873, and end of then next session.
(11) 14 & 15 Vict. c. 104. - Episcopal and Capitular Estates Management.	The whole Act so far as it is not repealed.	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.	1st January 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st January 1874, and end of then next session.
(12) 17 & 18 Vict. c. 102. - Corrupt Practices Prevention.	The whole Act so far as it is not repealed.	21 & 22 Vict. c. 87. 26 & 27 Vict. c. 29. 31 & 32 Vict. c. 125.	8th June 1872, and end of then next session. (34 & 35 Vict. c. 95.)	8th June 1873, and end of then next session.
(13) 19 & 20 Vict. c. 36. - Preservation of the Peace (Ireland).	The whole Act so far as it is not repealed.	20 & 21 Vict. c. 7. 28 & 29 Vict. c. 118.	1st July 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st July 1873, and end of then next session.
(14) 23 & 24 Vict. c. 19. - Dwellings for Labouring Classes (Ireland).	The whole Act	- - -	15th May 1872, and end of then next session. (34 & 35 Vict. c. 95.)	15th September 1873, and end of then next session.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. Continued until
(15) 24 & 25 Vict. c. 109. - Salmon Fishery (England) Act.	As to appointment of inspectors, s. 31.	- - -	1st October 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st October 1873, and end of then next session.
(16) 25 & 26 Vict. c. 97. - Salmon Fisheries (Scotland).	As to the powers of commissioners, &c.	26 & 27 Vict. c. 50. 27 & 28 Vict. c. 118.	1st January 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st October 1873, and end of then next session.
(17) 26 & 27 Vict. c. 105. - Promissory Notes.	The whole Act	- - -	28th July 1872, and end of then next session. (34 & 35 Vict. c. 95.)	28th July 1873, and end of then next session.
(18) 27 & 28 Vict. c. 9. - Malt for Animals.	The whole Act	- - -	28th April 1872, and end of then next session. (34 & 35 Vict. c. 95.)	28th April 1873, and end of then next session.
(19) 27 & 28 Vict. c. 20. - Promissory Notes and Bills of Exchange (Ireland).	The whole Act	- - -	13th May 1872, and end of then next session. (34 & 35 Vict. c. 95.)	13th May 1873, and end of then next session.
(20) 27 & 28 Vict. c. 92. - Public Schools.	The whole Act	- - -	1st August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st August 1873, and end of then next session.
(21) 28 & 29 Vict. c. 46. - Militia Ballots Suspension.	The whole Act	- - -	1st October 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st October 1873, and end of then next session.
(22) 28 & 29 Vict. c. 66. - Charging of Malt Duty by Weight.	The whole Act so far as it is not repealed.	29 & 30 Vict. c. 64.	29th June 1872, and end of then next session. (34 & 35 Vict. c. 95.)	29th June 1873, and end of then next session.
(23) 28 & 29 Vict. c. 83. - Locomotives on Roads.	The whole Act	- - -	1st September 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st September 1873, and end of then next session.
(24) 28 & 29 Vict. c. 121. - Salmon Fishery (England) Act (1861) Amendment.	As to appointment of commissioners, s. 51.	- - -	1st October 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st October 1873, and end of then next session.
(25) 29 & 30 Vict. c. 52. - Prosecution Expenses.	The whole Act	- - -	23d July 1872, and end of then next session. (34 & 35 Vict. c. 95.)	23d July 1873, and end of then next session.
(26) 30 & 31 Vict. c. 36. - Chester Courts.	Sections one, two, and three.	- - -	15th July 1872, and end of then next session.	15th July 1873, and end of then next session.
(27) 30 & 31 Vict. c. 141. - Master and Servant.	The whole Act	- - -	20th August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	20th August 1873, and end of then next session.

1. Original Acts.	2. How far continued.	3. Amending Acts.	4. Time of Expiration of temporary Provisions.	5. Continued until
(28) 31 & 32 Vict. c. 32. - Endowed Schools.	The whole Act	- - -	1st August 1872, and end of then next session. (34 & 35 Vict. c. 95.)	1st August 1873, and end of then next session.
(29) 31 & 32 Vict. c. 76. - Militia Pay.	The whole Act so far as it is not repealed.	32 & 33 Vict. c. 66.	31st July 1872 inclusive (34 & 35 Vict. c. 95.)	31st July 1873 inclusive.
(30) 31 & 32 Vict. c. 125. - Election Petitions and Corrupt Practices.	The whole Act	- - -	31st July 1871, and end of then next session.	31st July 1873, and end of then session.
(31) 32 & 33 Vict. c. 21. - Election Commissioners Expenses.	The whole Act	34 & 35 Vict. c. 61.	24th June 1872, and end of then next session. (34 & 35 Vict. c. 95.)	24th June 1873, and end of then next session.
(32) 34 & 35 Vict. c. 87. - Sunday Observance Prosecutions.	The whole Act	- - -	1st September 1872 -	1st September 1873, and end of then next session.
(33) 30 & 31 Vict. c. 126. - Railway Companies (Scotland).	As to protection of rolling stock, s. 4.	- - -	1st September 1873, and end of then next session.	1st September 1873, and end of then next session.
(34) 30 & 31 Vict. c. 127. - Railway Companies.	As to protection of rolling stock, s. 4.	- - -	1st September 1873, and end of then next session.	1st September 1873, and end of then next session.
(35) 34 & 35 Vict. c. 105. - Petroleum.	The whole Act	- - -	1st October 1872 -	1st October 1873, and end of then next session.

CHAPTER 89.

An Act to amend the Act providing Superannuation Allowances to Officers of Unions in Ireland.

[10th August 1872.]

WHEREAS it is expedient that the Act of the twenty-eighth year of the reign of Her present Majesty, chapter twenty-six, providing superannuation for officers of unions in Ireland, should be amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act and the recited Act may be cited together for all purposes as "The Union Officers (Ireland) Superannuation Acts, 1865 and 1872."

Superintendent registrars to be deemed union officers.

Emoluments to be taken into account in awarding superannuation.

2. The Superintendent Registrar of Births, Deaths, and Marriages appointed in any union in Ireland, being also the clerk of such union, and the Registrar of Births, Deaths, and Marriages, shall be deemed officers within the operation of the recited Act; and in computing the salary of any officer of a union under the recited Act and this Act, the amount of the emoluments of his office on the average of the three years concluded in the last preceding quarter may be taken into calculation by the guardians, and the allowance awarded in respect thereof under the recited Act and this Act shall be charged upon the rates of the union at large.

CHAPTER 90.

An Act to amend "The Irish Church Act, 1869."

[10th August 1872.]

WHEREAS it is expedient to amend the Irish Church Act, 1869:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Irish Church Act, 1869, Amendment Act, 1872."

Interpretation.

2. In this Act words and expressions to which by the Irish Church Act, 1869, meanings have been assigned shall have the same meanings respectively.

The term "principal Act" shall mean the Irish Church Act, 1869.

Extension of section 16 of Irish Church Act, 1869, to the commutation of annuities payable to diocesan schoolmasters.

3. The provisions of section sixteen of the principal Act, authorising the Commissioners, with the consent of the Church body, to cause the value of the life annuity of any clerk sexton, or officer of the said Church to be estimated and paid to such annuitant, or to such annuitant and the Church body in such proportions as they shall agree, shall be deemed to extend and shall extend and authorise the Commissioners, with the consent of the said Church body, to cause the present value of the annuity payable to each schoolmaster of any diocesan or district school in Ireland, as ascertained and declared by order of the Commissioners under the provisions of the said section, to be estimated, and to pay the

same to such schoolmaster or to such schoolmaster and Church body in such proportions as they shall agree.

The provisions of the said section of the principal Act shall be construed as if the first day of January one thousand eight hundred and seventy-four were substituted for the first day of January one thousand eight hundred and seventy-two in the said section.

Power to commute annuities payable under sects. 44. and 45. of Irish Church Act, 1869.

4. The Commissioners may estimate the value of any annuity declared by order pursuant to the provisions of the forty-fourth and forty-fifth sections of the principal Act, and may pay such estimated value to the person entitled to such annuity in satisfaction of the same, if such person shall be willing to accept it and they shall consider it expedient so to do.

Payment of moneys received for dilapidations to Church body in certain cases.

5. Whenever a glebe house shall be purchased by the representative body of the said Church, any moneys which shall have been received in respect of dilapidations of such house from the incumbent by the Commissioners shall be paid over to such body for the repair of the same.

Amount of tithe rentcharges to be fixed.

6. Whereas a statement under the seal of the Commissioners of the amounts of the annual tithe rentcharges, which accrued due in respect of each benefice, dignity, or ecclesiastical corporation in Ireland on the first day of November one thousand eight hundred and seventy-one, and of the owners chargeable therewith, has been deposited in the Record Department of the said Commissioners, and it is expedient that the half-yearly payments of tithe rentcharge to be made from time to time by such owners should be definitely fixed and ascertained: Be it therefore enacted that,—

(1.) The said statement (except as herein-after provided) shall be deemed to be and shall be conclusive evidence of the amount of tithe rentcharge chargeable upon the lands (in respect of each such benefice, dignity, or ecclesiastical corporation) in respect of which the owners set forth in such statement have paid the same, and the amounts therein set forth shall from time to time be paid and payable, and such statement shall, in relation to such amounts as aforesaid, be binding upon the persons liable to the payment of the same; provided always, that it shall be lawful for any owner whose name is set forth in such statement as liable to rentcharge, or for the legal representative of such owner, to lodge with the Commissioners an objection in writing to the liability so set forth, and the Commissioners shall have full power to make an order amending such statement as shall to them seem fit, having regard to the facts in each case without reference to any defects or technical difficulties in the original applotments of tithe composition.

(2.) The Commissioners shall lodge in the said Record Department, on or before the thirty-first day of March in each year, a further statement of any tithe rentcharge which may have become payable to them in the preceding year ending the thirty-first December under section thirty-three of the principal Act, or otherwise, and the provisions of this section shall apply to such statements and tithe rentcharge.

(3.) It shall not be lawful for the Commissioners nor for the persons liable to tithe rentcharge to take any proceedings under section thirty-two of the Act of the session of the first and second years of Her present Majesty chapter one hundred and nine, to vary the rentcharges with reference to the average price of corn, and the said section is, and all other provisions for such variation are hereby repealed so far as relates to all tithe rentcharge vested in the Commissioners: Provided, however, that in any case where proceedings shall for such purpose have been commenced before the passing of this Act, the same shall not be affected by this provision, and may be continued, and such order as may be made thereon shall be valid in all respects as if this Act had not been passed.

(4.) It shall and may be lawful for any owner or his legal representatives, at any time after the passing of this Act, upon a division of the lands held by him or them, either by sale or otherwise (except by lease or demise at rack rent), to make an application in writing to the Commissioners signifying the desire of such applicant that the tithe rentcharges, payable half-yearly and chargeable on such lands by said statement, or the annual rentcharges substituted for them under section thirty-two of the principal Act, or section seven of this Act, then charged or chargeable on such lands by the merging order issued by the Commissioners, pursuant to the said section, shall be divided and apportioned upon parts of such lands, or shall be charged upon certain of such lands exempting the residue from any liability in respect of the said rentcharge, and thereupon in each and every such case the said Commissioners shall and they are hereby authorised and required, by order, to divide or apportion the whole or any part of the said tithe rentcharges, or rentcharges in lieu thereof, as aforesaid, in such manner and proportions as by such application may be required, regard being had to the security of the several parts or proportions of such rentcharges, and after such apportionment the tithe or other rentcharges so apportioned shall be charged and payable in such parts and pro-

portions, and chargeable only upon such proportions of the said lands as shall be so declared by the Commissioners order to be liable to the payment thereof respectively, and said original merging order and all apportionment orders under seal of the Commissioners, shall be deemed and shall be conclusive evidence of the liability to the said rentcharge of the land set forth in said orders respectively.

Sale of tithe rentcharge to owners of land charged therewith.

7. The Commissioners may at any time after the passing of this Act sell any rentcharge in lieu of tithes vested in them under the principal Act to the owner of the land charged therewith, in consideration of a sum equal to twenty-two and a half times the amount of such rentcharge, less such sum in the pound as such owner shall be ascertained by the Commissioners to have been on an average of five years preceding the passing of the said Act entitled to deduct for poor rates from the tithe rentcharge payable by him; and upon any such sale being so made, the Commissioners shall by order declare the rentcharge to be merged in the land out of which it issued, and the same shall merge and be extinguished accordingly.

Upon the application of any owner so purchasing, the Commissioners may by order declare his purchase money to be payable by instalments, and the land out of which such rentcharge issued to be accordingly charged as from a day to be mentioned in such order for fifty-two years thence next ensuing with an annual sum calculated at the rate of four pounds nine shillings per centum on the purchase money, or for such less number of years as may be agreed upon at an equivalent annual sum, so as to discharge the principal and interest in such less number of years. The annual sum charged by such order shall have priority over all charges and incumbrances, except quit or crown rents, and shall be payable by the same persons, and be recoverable in the same manner, and be subject to the same charges, if any, as the rentcharge in lieu of tithes heretofore payable out of the same lands.

"Owner" for the purposes of this and the next preceding section shall mean the person for the time being liable to pay rentcharge in lieu of tithes under the provisions of the Act of the first and second years of the reign of Her present Majesty, chapter one hundred and nine.

The provisions of this section shall be deemed to be and shall be in substitution of the provisions of section thirty-two of the principal Act, and where the Commissioners have, under the provisions of the said section thirty-two, made any sale to any owner, they may make such allowance to such owner or to his legal representatives as will place such owner or such representative in a position similar to that in which he would have been placed had the provisions of this section

been in force at the time of such sale and such sale had been made thereunder.

Purchase of surrender or assignment of subsisting lease of tithe rentcharge.

8. The Commissioners may, when purchasing the surrender or assignment of any subsisting lease of rentcharge in lieu of tithes made by an ecclesiastical person or corporation, where such lease has, previous to the passing of the principal Act, been renewable by custom, treat the same as a renewable lease for the purpose of estimating the value and fixing the purchase money thereof.

Value of lease of rentcharge to be settled by arbitration in certain cases.

9. Where any person, being a tenant of rentcharge in lieu of tithes by virtue of a lease heretofore customarily renewable, made by an ecclesiastical person or corporation, feels aggrieved by the value set by the Commissioners on such lease, or on his interest therein, he may, if he think fit, refer such question to arbitration in manner prescribed by the principal Act.

Duty on sale of tithe rentcharge to be paid by Commissioners.

10. The amount of duty payable upon any order made by the Commissioners upon the sale of tithe rentcharge shall be paid by the Commissioners out of any funds at their disposal.

Deduction in respect of income tax in certain cases.

11. Where the repayment of any principal sum, together with interest thereon, is payable to the Commissioners by annual instalments, it shall be lawful for the Commissioners to make an allowance in respect of income tax on such part of such instalments as are payable in respect of interest according to the scale in the schedule to this Act annexed.

Power to tenants under leases from ecclesiastical corporations aggregate to apply for perpetuities.

12. The immediate or inferior tenants of lands, tenements, and hereditaments held under leases from ecclesiastical corporations aggregate in Ireland, dissolved by the principal Act, where such leases were renewable by custom, may make application for the purchase of the fee simple and inheritance of such lands, tenements, and hereditaments, and shall be entitled to the conveyances of the same upon the like terms, in like manner, with the like rights, and subject to the like conditions and liabilities in every respect as if such immediate or inferior tenants held the said lands, tenements, and hereditaments under leases from sole ecclesiastical corporations in Ireland, and were therefore entitled to make such applications under the Act of the session of the third and fourth years of King William the Fourth, chapter thirty-seven, and the Acts amending the same, but subject to the limitations in that behalf contained in section thirty-one of the principal Act.

Extension of provision of section 52. of Irish Church Act, 1869, as to security for purchase money.

13. The provisions of section fifty-two of the principal Act authorising the Commissioners to accept security for a portion of the purchase money at the rate of four per centum per annum shall be deemed to have been made applicable, and to apply, as to the rate of interest, to cases of security contemplated by the hundred and fifty-fifth section of the

Act passed in the session of Parliament held in the third and fourth years of King William the Fourth, chapter thirty-seven.

Commissioners may award superannuation allowance or compensation to present accountant in certain events.

14. Whereas Alfred J. Phipps, now accountant in the office of the Commissioners of Church Temporalities in Ireland, served for a period of thirty years previous to his appointment to the said office in an established capacity in the permanent civil service of the State in the office of Her Majesty's Commissioners of Woods, Forests, and Land Revenues, and it is expedient that provision should be made for the grant of superannuation allowance to the said Alfred J. Phipps in case he shall retire from his said office or become incapable, from infirmity of mind or body, to discharge the duties of the same, and for the grant of compensation in case his said office shall be abolished: Be it therefore enacted, that in case the said Alfred J. Phipps shall retire from his said office or become incapable, from infirmity of mind or body, to discharge the duties of the same, or in case the said office shall be abolished or shall cease to exist, it shall be lawful for the Commissioners of Church Temporalities in Ireland, with the consent of the Commissioners of Her Majesty's Treasury, to grant to the said Alfred J. Phipps such superannuation allowance or compensation as they shall think fit; and such superannuation allowance or compensation shall be estimated and awarded on the same terms and subject to the same conditions as are provided in the case of persons serving in an established capacity in the permanent civil service of the State by "The Superannuation Act, 1859:" Provided always, that in estimating the number of years during which the said Alfred J. Phipps shall have served, the said Commissioners shall take into account the number of years during which he shall have served in the office of Her Majesty's Commissioners of Woods, Forests, and Land Revenues and in the office of the Commissioners of Church Temporalities in Ireland. Such portion of the said superannuation or compensation allowance as the Commissioners of Her Majesty's Treasury shall, in writing under the hand of one of their secretaries, certify to be the amount of superannuation allowance which might have been awarded to the said Alfred J. Phipps under the said Act had he been compelled to retire from the public service from age or ill-health at the time of his transfer to the service of the Commissioners of Church Temporalities in Ireland, shall be paid out of moneys provided for that purpose by Parliament, and the remainder of such superannuation or compensation allowance (if any) shall be paid out of the revenues of the Commissioners of Church Temporalities in Ireland, and be dealt with in the same manner as other compensation and superannuation allowances under the principal Act.

SCHEDULE.

Fixed Annual Instalments for Purchase of Rentcharges in lieu of Tithes.

When the fixed annual instalments shall be	in number	twentieth parts of the legal rate of Income Tax shall be allowed by deduction from the fixed annual instalment.
Ten - -	Three -	
Twenty -	Five -	
Thirty - -	Seven -	
Forty - -	Nine -	
Fifty-two -	Ten -	

Fixed Half-yearly Instalments under the 52nd Section of the Irish Church Act, 1869.

When the fixed half-yearly instalments shall be - -	in number	twentieth parts of the legal rate of Income Tax shall be allowed by deduction from the fixed half-yearly instalment.
Ten -	Two -	
Twenty -	Three -	
Thirty -	Five -	
Forty -	Six -	
Fifty -	Seven -	
Sixty-four -	Eight -	

CHAPTER 91.

An Act to authorise the application of Funds of Municipal Corporations and other governing bodies in certain cases. [10th August 1872.]

20 & 21 Vict. c. 50.

WHEREAS by the Act passed in the session holden in the twentieth and twenty-first years of the reign of Her Majesty, intituled An Act to amend the Acts concerning the Municipal Corporations, the trustees acting under any Act of Parliament for supplying any borough, or any district within or in certain cases beyond the limits of a borough, with water or gas, or having powers for providing or maintaining any cemetery or market in or for any borough, or otherwise improving the same, are authorised and empowered to transfer to the body corporate of such borough all their rights, estates, properties, and liabilities:

And whereas by the ninety-second section of the Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, to provide for the regulation of Municipal Corporations in England and Wales, in each borough the annual proceeds of all property and hereditaments belonging to the body corporate, and fines and rates levied in the borough, are directed to form the borough fund, and such fund is directed to be applied in the payment of certain salaries and certain expenses and the expenses necessarily incurred in carrying into effect the provisions of the said Act, and the surplus (if any) of such fund is directed to be applied, under the direction of the council,

for the public benefit of the inhabitants and the improvement of the borough:

And whereas the Public Health Act, 1848, the Local Government Act, 1858, and various Local Acts of Parliament, have conferred powers of improving, cleansing, paving, lighting, and otherwise governing places or districts upon boards of health, commissioners, trustees, or other persons:

And whereas it is expedient to extend the powers of governing bodies so as to enable them to apply the borough or other funds under the control of such governing body towards such costs, charges, and expenses as may be incurred for the purposes and in the manner herein provided:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of terms.

1. The term "governing body" in this Act shall mean the council of any municipal borough, the board of health, local board, commissioners, trustees, or other body acting under any general or local Act of Parliament for the management, improvement, cleansing, paving, lighting, and otherwise governing places or districts, and the term "district," shall mean the borough, place, township, or district within which the governing body may for the time being have jurisdiction: Provided, however, that in the borough of Cambridge, in any matters affecting the constitution, power, or functions of the Board of Cambridge Improvement Commissioners, as defined in the several Acts of Parliament relating thereto, the term "governing body" shall mean such board of improvement commissioners, and not the council of the borough of Cambridge.

Costs of promoting or opposing Parliamentary and other proceedings for benefit of inhabitants to be charge on borough and local funds, except in certain cases.

2. When in the judgment of a governing body in any district it is expedient for such governing body to promote or oppose any local and personal Bill or Bills in Parliament, or to prosecute or defend any legal proceedings necessary for the promotion or protection of the interests of the inhabitants of the district, it shall be lawful for such governing body to apply the borough fund, borough rate, or other the public funds or rates under the control of such governing body to the payment of the costs and expenses attending the same; and when there are several funds or rates under the control of the governing body, such governing body shall determine out of which fund or funds, rate or rates, such expense shall be payable, and in what proportions: Provided that nothing in this Act contained shall authorise any governing body to promote any Bill in Parliament for the establishment of any gas or water works to compete with any existing gas or water company established under any Act of Parliament: Provided that no powers contained in this clause shall apply in any case where the promotion of or opposition to a Bill by a

governing body has been decided by a Committee of either House of Parliament to be unreasonable or vexatious.

No payment to member of governing body to be so charged.

3. No payment to any member of a governing body for acting as counsel or agent in promoting or opposing any such Bill shall be charged as aforesaid.

Costs of promoting or opposing Bills to require sanction of special meetings.

4. No expense in relation to promoting or opposing any Bill or Bills in Parliament shall be charged as aforesaid unless incurred in pursuance of a resolution of an absolute majority of the whole number of the governing body at a meeting of the governing body, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in some local newspaper published or circulating in the district, such notice to be in addition to the ordinary notices required for summoning such meeting, nor unless such resolution shall have been published twice in some newspaper or newspapers circulating in the district, and shall have received, in respect of matters within the jurisdiction of the Local Government Board, the approval of such Board, and in respect of other matters, the approval of one of Her Majesty's Secretaries of State, and in case of the promotion of a Bill in Parliament no further expense shall be incurred or charged as aforesaid after the deposit of the Bill, unless the propriety of such promotion shall be confirmed by such absolute majority at a further special meeting to be held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament: Provided further, that no expense in promoting or opposing any Bill in Parliament shall be charged as aforesaid unless such promotion or opposition shall have had the consent of the owners and ratepayers of that district, to be expressed by resolution in the manner provided in the Local Government Act (1858) for the adoption of that Act.

Proviso as to approval of Local Government Board, &c. to any such resolution.

5. The approval of the Local Government Board or one of Her Majesty's Principal Secretaries of State, as the case may be, shall not be given to any such resolution as aforesaid, until the expiration of seven days after the second publication thereof, as provided by this Act, and in the meantime any ratepayer within the district of the governing body may give notice in writing to the Local Government Board or Secretary of State objecting to such approval.

Costs to be examined.

6. All costs, charges, and expenses incurred under the provisions of this Act shall before the same become chargeable, be examined and allowed by some person to be authorised by one of Her Majesty's Principal Secretaries of State or by the Local Government Board, as the case may be.

Power to direct local inquiry.

7. The Local Government Board, or one of Her Majesty's Principal Secretaries of State, shall have power to direct a local inquiry to be held upon any application under this Act,

by any person or persons whom they may respectively nominate for the purpose, and to charge the costs and expenses of such local inquiry upon the governing body or the person by whom such application shall be made.

Saving clause.

8. Nothing in this Act shall extend or be construed to alter or affect any special provision which is or shall be contained in any other Act for the payment of the costs, charges, and expenses intended to be provided for by this Act, or to take away or diminish any rights or powers now possessed or enjoyed by any governing body, or which are or shall be vested in or exerciseable by the inhabitants of any district under any general or special Act.

10 & 11 Vict. c. 34. s. 142. repealed.

9. The one hundred and forty-second section of "The Towns Improvement Clauses Act, 1847," is hereby repealed so far as the same is inconsistent with the provisions of this Act.

Act not to extend to Bills if object attainable by Provisional Order.

10. The provisions of this Act shall not extend to applications for any Bill in Parliament for any object which would, for the time being, be attainable by Provisional Order.

Extent of Act.

11. This Act shall not extend or apply to Ireland or the city of London or the metropolitan area as defined by the Metropolitan Local Management Act, 1855.

CHAPTER 92.

An Act to render unnecessary the general Appointment of Parish Constables. [10th August 1872.]

WHEREAS the establishment of an efficient police in the counties of England and Wales has rendered the general appointment of parish constables unnecessary:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Parish constables not to be appointed.

1. After the twenty-fourth day of March next no parish constable shall be appointed except as herein provided.

Provision for the appointment of parish constables when the quarter sessions deem it necessary.

2. Whenever the Court of General or Quarter Sessions of any county shall by resolution determine that it is necessary, with a view to the preservation of the peace or the proper discharge of public business therein, that one or more parish constables should be appointed for any parish within the jurisdiction of such court, such constable or constables shall, until the said resolution shall have been rescinded, be and be continued to be appointed for such parish, according to the

provisions of the law for the appointment of parish constables then in force.

Appointment of the constable to be served upon the person, and his attendance and swearing at the sessions dispensed with.

3. When the justices at the sessions held for this purpose shall have chosen the constable or constables for any parish they shall make out a warrant of appointment and cause it to be served upon each person so chosen, who shall be bound to act as a constable from the time when he shall be served with such warrant, unless he shall submit another person to the justices to be appointed as his substitute, and the justices shall make the appointment of the person so substituted for the time, and subject to the provisions contained in the Statute of the fifth and sixth Victoria, chapter one hundred and nine, and the twelfth and thirteenth sections of that statute shall be repealed, and the lists provided for by section fourteen shall be sent within fourteen days from the appointment of the constables so made by the justices at the said sessions.

Paid constable may be appointed for a parish on application of the vestry.

4. The vestry of any parish not included wholly or in part within a borough, after due notice, may at any time resolve that one or more parish constables shall be appointed for their parish, and in such resolution may fix the amount of salary to be paid to him or them, which salary shall be paid out of the poor rate of the said parish, and a copy of such resolution shall be delivered by one of the overseers or some other officer of the parish to the justices of the petty sessional division in which the parish is situated, and such justices may appoint, by warrant under the hand and seal of two of them, some fit and competent person or persons willing to serve the office to be the constable or constables for the said parish, who shall hold his or their office until he or they shall resign or be dismissed for misconduct or incompetency by the justices of the said division, or the vestry shall determine to discontinue the appointment of a constable at the expiration of not less than six months from the day on which a copy of such resolution shall be delivered to the justices of the said division, and until the vestry shall come to such determination the justices shall renew the appointment upon the occurrence of any vacancy in the office.

Provided that if the vestry shall deem it right that the salary should be increased at any time when the office is not vacant, they may upon due notice pass a resolution to that effect, and a copy thereof shall be delivered by the overseer or other officer to the justices in petty sessions, and a copy thereof shall be endorsed on the warrant of appointment and be signed by two justices at such petty sessions.

Two or more parishes may be united for the appointment.

5. Two or more such parishes as aforesaid may unite for the appointment by the justices of a constable if the vestries thereof pass separate resolutions and agree upon the proportionate parts of the salary to be paid in respect of each parish, and in any such case the justices, or if the parishes be situated

in two petty sessional divisions, the justices of each of such two petty sessional divisions may appoint the same person to be the constable for the parishes so united, to hold his office at one salary, payable where requisite out of the poor rate of the several parishes according to the proportions agreed upon, and shall certify the amount to be paid by each parish respectively by indorsement on the warrant of appointment.

Tenure of the office of existing paid constables.

6. Every paid constable appointed for any parish previous to the passing of this Act may continue to hold his office in like manner as if this Act had not been passed.

Duties, powers, and immunities of parish constable.

7. Every constable appointed under this Act shall be subject to the authority of the chief constable of the county, riding, or division in which the parish for which such constable may be appointed to act shall be situated, and all duties, powers, protections, immunities, liabilities, and incidents heretofore imposed upon or belonging to the office of a parish constable shall be imposed upon and belong to the constable to be so appointed and to the police constable who shall be called upon to act in any matter appertaining to that office by any competent authority, and all fees, charges, and allowances which would have been paid or granted by or under any statute or other legal provision to a parish constable, shall be paid or granted to the constable appointed under this Act or to such police constable, to be by them respectively applied in aid of the poor rate of the parish for which such constable shall have been appointed, or in the case of the police constable according to the rules prescribed for the regulation of the police force in such matter.

Fees and allowances.

Charges not to be made for parish business.

8. No charge shall be made by nor any fee received by any paid constable appointed on the application of the vestry in respect of any service rendered by him to the parish or parishes for which he shall be appointed generally or to a parish officer of such parish or parishes in respect of matters belonging to the office of such officer.

Fees to constables may be allowed when costs awarded against defendant.

9. Where in any proceedings taken by or on behalf of any parish officer who is paid a salary for his services in respect of any matter connected with the duty of his office the justices shall award costs to be paid by the defendant or the party complained against, they may, if they see fit, allow, in settling the amount of such costs, such fees and allowances in respect of the services of the constable as shall appear to them to be just, and shall be in accordance with the scale of fees and allowances then in force in their county; and such fees and allowances shall be received by such constable, and shall be paid by him to the overseers of the parish to be applied in aid of the poor rate.

Execution of process by

10. Every constable appointed under the authority of this Act shall have full power to execute any summons or warrant

constables appointed under this Act.

within any part of the county for which the justice issuing the same shall have jurisdiction, but shall not be compelled to serve any summons or to execute any warrant out of the parish or parishes for which he shall be appointed to act.

Fees and allowances to constables remain in force till altered.

11. The fees and allowances to constables settled by the justices at their general or quarter sessions with the consent of one of Her Majesty's Principal Secretaries of State shall continue to be in force until they shall be altered by the said justices with the like consent, which alteration shall take place from time to time as occasion may require.

How fees and allowances to be paid and payments enforced.

12. Where any fee or allowance is claimed by any constable in respect of any service rendered to an overseer, surveyor of the highways, or other officer of the parish, the same, if lawfully due, may be paid to him by such overseer, surveyor, or other officer without any order of justices, but if payment be refused, or cannot be obtained by him on request, he may apply to the justices in petty sessions assembled for an order upon such overseer, surveyor, or other officer, and the said justices, after summoning such officer, may make an order upon him for the payment of such fee or allowance, and their order in this behalf shall be enforceable if not obeyed, in manner directed by the Summary Jurisdiction Act, 1848, as orders of justices for the payment of money; and if any overseer, surveyor, or other officer pay money in obedience to such order, the payment shall not be disallowed by any auditor or other authority competent to allow or disallow the accounts of such officer on any ground whatsoever.

Repeal of statutes.

13. The following statutes shall from and after the said twenty-fourth day of March next be repealed, except in respect of any matter then arisen or pending out of or in relation to some provision thereof; (that is to say,)

The 13 & 14 of Ch. 2. c. 12., sections 15, 16, 17, and 18.

The 18 of Geo. 3. c. 19. s. 4.

And so much of the statute 2 William and Mary, c. 5., as requires any sheriff or under-sheriff or constable to be aiding and assisting at any distress for rent, or to swear any appraiser thereat, shall be repealed, and no oath shall after the day aforesaid be required from such appraiser.

Exemptions, and interpretation of words.

14. Nothing herein contained shall apply to special constables appointed under the statutes relating thereto, nor to any officer appointed at a court leet or torn for any purpose other than the preservation of the peace in any parish.

The term "county" shall extend to every riding or division of a county for which there is a separate court of general or quarter sessions.

The term "parish" among other meanings applicable to it, shall signify a place for which a separate poor rate is or can be made or for which a separate overseer is or can be appointed.

The term "constable" shall include every petty constable, headborough borsholder, tithingman, or other peace officer of the like description authorised or required to be appointed for any parish at the date of this Act.

The term "vestry" shall include all meetings of the inhabitants of any township or other place for which a separate overseer is appointed, to be summoned in the like manner and with the like notice as the ordinary meetings of a vestry.

The word "overseers" shall include churchwardens so far as they are authorised by law to act as overseers.

Title of the Act.

15. The Act may be cited as "The Parish Constables Act, 1872."

CHAPTER 93.

An Act for consolidating, with Amendments, the Acts relating to Pawnbrokers in Great Britain.

[10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited as The Pawnbrokers Act, 1872,

Extent of Act.

2. This Act shall not extend to Ireland.

Commencement of Act.

3. This Act shall, except as otherwise expressed, commence and take effect from and immediately after the thirty-first day of December one thousand eight hundred and seventy-two, which time is in this Act referred to as the commencement of this Act, and the Schedules to this Act, including the notes thereto, shall have effect as part of this Act.

Repeal of enactments in schedule as to Pawnbrokers in Great Britain.

4. The enactments described in the First Schedule to this Act, as far as the same regulate the business of pawnbroking in Great Britain, or otherwise affect Pawnbrokers in Great Britain in relation to loans made by them on pledges pawned with them, and to those pledges, and to the pawning, redemption, and sale thereof, and to transactions and matters connected therewith, shall, on and from the commencement of this Act, be repealed; but this repeal shall not affect the past operation of any of those enactments, or any right, title, obligation, or liability accrued, or the validity or invalidity of any contract made, or of anything done or suffered, under any of those enactments before the commencement of this Act;

nor shall this repeal interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under, any of those enactments, or take away or abridge any protection or benefit conferred or secured by any of those enactments in relation to anything done thereunder, before the commencement of this Act.

Definitions; Application of Act.

Interpretation.

5. In this Act—

"Pawnbroker" includes every person who carries on the business of taking goods and chattels in pawn:

"Pledge" means an article pawned with a pawnbroker:

"Pawner" means a person delivering an article for pawn to a pawnbroker:

"Shop" includes dwelling-house and warehouse, or other place of business, or place where business is transacted:

"Unfinished goods or materials" includes any goods of any manufacture or of any part or branch of any manufacture either mixed or separate, or any materials whatever plainly intended for the composing or manufacturing of any goods, after such goods or materials are put into a state or course of manufacture, or into a state for any process or operation to be performed thereupon or therewith, and before the same are completed or finished for the purpose of wear or consumption:

"Constable" includes any peace officer:

"Justice" means justice of the peace having jurisdiction in the county or place where the matter requiring the cognizance of a justice arises:

"Court of summary jurisdiction" means any justice, justices, or magistrate (however designated) having jurisdiction under the Summary Jurisdiction Act of 1848 (described in Part I. of the Second Schedule to this Act).

Extension of Act to keepers of certain shops.

6. In order to prevent evasion of the provisions of this Act, the following persons shall be deemed to be persons carrying on the business of taking goods and chattels in pawn (that is to say), every person who keeps a shop for the purchase or sale of goods or chattels, or for taking in goods or chattels by way of security for money advanced thereon, and who purchases or receives or takes in goods or chattels, and pays or advances or lends thereon any sum of money not exceeding ten pounds with or under an agreement or understanding expressed or implied, or to be from the nature and character of the dealing reasonably inferred, that those goods or chattels may be afterwards redeemed or repurchased on any terms; and every such transaction, article, payment, advance, and loan shall be deemed a pawning, pledge, and loan respectively within this Act.

Executors, &c. of Pawnbrokers.

7. The provisions of this Act relating to Pawnbrokers shall extend to and include the executors or administrators of deceased Pawnbrokers, except that an executor or administrator shall not be answerable for any penalty or forfeiture personally or out of his own estate, unless the same is incurred by his own act or neglect.

Agents, servants, apprentices, &c. of Pawnbrokers.

8. For the purposes of this Act anything done or omitted by the servant, apprentice, or agent of a Pawnbroker in the course of or in relation to the business of the Pawnbroker, shall be deemed to be done or omitted (as the case may be) by the Pawnbroker; and anything by this Act authorised to be done by a Pawnbroker may be done by his servant, apprentice, or agent.

Assigns, executors, &c. of pawners.

9. The rights, powers, and benefits by this Act reserved to and conferred on pawners shall extend to and be deemed to be reserved to and conferred on the assigns of pawners, and to and on the executors or administrators of deceased pawners; but any person representing himself to a Pawnbroker to be the assign, executor, or administrator of a pawner shall, if required by the Pawnbroker, produce to the Pawnbroker the assignment, probate, letters of administration, or other instrument under which he claims.

Application of Act in respect of loans.

10. This Act shall apply—

(1.) To every loan by a Pawnbroker of forty shillings or under:

(2.) To every loan by a Pawnbroker of above forty shillings and not above ten pounds, except as in this Act otherwise provided in relation to cases where a special contract respecting the terms of the loan (as authorised by this Act) is made between the pawner and the Pawnbroker at the time of the pawning.

Nothing in this Act shall apply to a loan by a Pawnbroker of above ten pounds, or to the pledge on which the loan is made, or to the Pawnbroker or pawner in relation to the loan or pledge; and, notwithstanding anything in this Act, a person shall not be deemed a Pawnbroker by reason only of his paying, advancing, or lending on any terms any sum or sums of above ten pounds.

Exception of loans before commencement of Act.

11. Nothing in this Act shall apply to a loan made by a Pawnbroker before the commencement of this Act, or to the pledge on which the loan is made, or to the Pawnbroker or pawner in relation to the loan or pledge; and the enactments in force at the time of the making of the loan shall, after and notwithstanding the commencement of this Act, have effect in relation to every such loan and pledge, as if this Act had not been passed.

General Obligations of Pawnbrokers.

Pawnbrokers to keep books, &c. as in schedule.

12. A Pawnbroker shall keep and use in his business such books and documents as are described in the Third Schedule to this Act, in the forms therein indicated or to the like effect, and shall from time to time, as occasion requires, enter therein in a fair and legible manner the particulars indicated in and in accordance with the directions of that schedule and shall make all inquiries necessary for that purpose.

If a Pawnbroker fails in any respect to comply with the requisitions of this section he shall be guilty of an offence against this Act.

Pawnbrokers to keep names over doors, and tables of rates, &c. exhibited in shops.

13. A Pawnbroker shall observe the following rules:—

(1.) He shall always keep exhibited in large characters over the outer door of his shop his Christian name and surname or names, with the word Pawnbroker:

(2.) He shall always keep placed in a conspicuous part of his shop (so as to be legible by every person pawning or redeeming pledges, standing in any box or place provided in the shop for persons pawning or redeeming pledges) the same information as is by the rules of the Third Schedule to this Act required to be printed on pawn-tickets.

If a Pawnbroker fails in any respect to comply with the requisitions of this section he shall be guilty of an offence against this Act.

Pawning; Redemption; Sale.

Pawn-tickets to be given for pledges.

14. A Pawnbroker shall on taking a pledge in pawn give to the pawner a pawn-ticket, and shall not take a pledge in pawn unless the pawner takes the pawn-ticket.

Profit and charges allowed to Pawnbrokers.

15. A Pawnbroker may take profit on a loan on a pledge at a rate not exceeding that specified in the Fourth Schedule to this Act.

A Pawnbroker may demand and take the charges specified in the same schedule, in the cases and according to the rules therein stated and prescribed.

A Pawnbroker shall not, in respect of a loan on a pledge, take any profit, or demand or take any charge or sum whatever, other than those specified in the same schedule.

A Pawnbroker shall, if required at the time of redemption, give a receipt for the amount of loan and profit paid to him; and such a receipt shall not be liable to stamp duty unless the profit amounts to forty shillings or more.

Pledges redeemable for one year, with seven days of grace.

16. Every pledge shall be redeemable within twelve months from the day of pawning, exclusive of that day; and there shall be added to that year of redemption seven days of grace, within which every pledge (if not redeemed within the year of redemption) shall continue to be redeemable.

Pledges for 10s. or under not redeemed in time forfeited.

17. A pledge pawned for ten shillings, or under, if not redeemed within the year of redemption and days of grace, shall at the end of the days of grace become and be the Pawnbroker's absolute property.

Pledges above 10s. redeemable until sale.

18. A pledge pawned for above ten shillings shall further continue redeemable until it is disposed of, as in this Act provided, although the year of redemption and days of grace are expired.

Sale by auction of pledges above 10s.

19. A pledge pawned for above ten shillings shall, when disposed of by the Pawnbroker, be disposed of by sale by public auction, and not otherwise; and the regulations in the Fifth Schedule to this Act shall be observed with reference to the sale.

A Pawnbroker may bid for and purchase at a sale by auction, made or purporting to be made under this Act, a pledge pawned with him; and on such purchase he shall be deemed the absolute owner of the pledge purchased.

Offences by auctioneers.

20. If an auctioneer does anything in contravention of the provisions of this Act relating to auctioneers, or fails to do anything which he is required by this Act to do, he shall be guilty of an offence against this Act.

Power to inspect sale book.

21. At any time within three years after the auction at which a pledge pawned for above ten shillings is sold, the holder of the pawn-ticket may inspect the entry of the sale in the Pawnbroker's book, and in the filled-up catalogue of the auction (authenticated by the signature of the auctioneer) or in either of them.

Pawnbroker to account for surplus within three years, subject to set-off.

22. Where a pledge pawned for above ten shillings is sold, and appears from the Pawnbroker's book to have been sold for more than the amount of the loan and profit due at the time of sale, the Pawnbroker shall, on demand, pay the surplus to the holder of the pawn-ticket in case the demand is made within three years after the sale, the necessary costs and charges of the sale being first deducted.

If on any such demand it appears from the Pawnbroker's book that the sale of a pledge or pledges has resulted in a surplus, and that within twelve months before or after that sale the sale of another pledge or other pledges of the same person has resulted in a deficit, the Pawnbroker may set off the deficit against the surplus, and shall be liable to pay the balance only after such set-off.

Offences as to pledges for above 10s.

23. If with respect to pledges for loans of above ten shillings a Pawnbroker—

(1.) Does not bonâ fide according to the directions of this Act sell a pledge pawned with him:

(2.) Enters in his book a pledge as sold for less than the sum for which it was sold, or fails duly to enter the same:

(3.) Refuses to permit any person entitled under this Act to inspection of an entry of sale in the Pawnbroker's book, or of a filled-up catalogue of the auction, authenticated by the auctioneer's signature, to inspect the same:

(4.) Fails without lawful excuse (proof whereof shall lie on him) to produce such a catalogue on lawful demand:

(5.) Refuses to pay on demand the surplus to the person entitled to receive the same:

he shall in every such case be guilty of an offence against this Act, and shall be liable on conviction thereof in a court of summary jurisdiction to forfeit to the person aggrieved a sum not exceeding ten pounds.

Special Contracts.

Power to make special contracts, subject to restrictions.

24. Notwithstanding anything in this Act, a Pawnbroker may make a special contract with a pawner in respect of a pledge on which the Pawnbroker makes a loan of above forty shillings, provided always, that—

(1.) The Pawnbroker at the time of the pawning shall deliver to the pawner a special contract pawn-ticket, signed by the Pawnbroker:

(2.) A duplicate of the special contract pawn-ticket shall be signed by the pawner.

The provisions of this Act, save as far as the application thereof is excluded by the terms of the special contract, shall apply thereto.

A special contract pawn-ticket, or the duplicate thereof, shall not be subject to stamp duty.

Delivery up of Pledge.

Holder of pawn-ticket entitled to redeem.

25. The holder for the time being of a pawn-ticket shall be presumed to be the person entitled to redeem the pledge, and, subject to the provisions of this Act, the Pawnbroker shall accordingly (on payment of the loan and profit) deliver the pledge to the person producing the pawn-ticket, and he is hereby indemnified for so doing.

Production of pawn-ticket on redemption.

26. A Pawnbroker shall not (except as in this Act provided) be bound to deliver back a pledge unless the pawn-ticket for it is delivered to him.

Liability of Pawnbroker in case of fire.

27. Where a pledge is destroyed or damaged by or in consequence of fire, the Pawnbroker shall nevertheless be liable, on application within the period during which the pledge would have been redeemable, to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit, and twenty-five per cent. on the amount of the loan.

A Pawnbroker shall be entitled to insure to the extent of the value so estimated.

Compensation for depreciation of pledge.

28. If a person entitled and offering to redeem a pledge shows to the satisfaction of a court of summary jurisdiction that the pledge has become or has been rendered of less value than it was at the time of the pawning thereof by or through the default, neglect, or wilful misbehaviour of the Pawnbroker, the court may, if it thinks fit, award a reasonable satisfaction to the owner of the pledge in respect of the damage, and the amount awarded shall be deducted from the amount payable to the Pawnbroker, or shall be paid by the Pawnbroker (as the case requires) in such manner as the court directs.

Protection of owners and of pawners not having pawn-tickets.

29. The following provisions shall have effect for protection of owners of articles pawned, and of pawners not having their pawn-tickets to produce:

(1.) Any person claiming to be the owner of a pledge but not holding the pawn-ticket, or any person claiming to be entitled to hold a pawn-ticket, but alleging that the same has been lost, mislaid, destroyed, or stolen, or fraudulently obtained from him, may apply to the Pawnbroker for a printed form of declaration, which the Pawnbroker shall deliver to him:

(2.) If the applicant delivers back to the Pawnbroker the declaration duly made before a justice by the applicant, and by a person identifying him, the applicant shall thereupon have, as between him and the Pawnbroker, all the same rights and remedies as if he produced the pawn-ticket: Provided that such a declaration shall not be effectual for that purpose unless it is duly made and delivered back to the Pawnbroker not later than on the third day after the day on which the form is delivered to the applicant by the Pawnbroker (exclusive of a day or days on which the Pawnbroker is prohibited from carrying on business):

(3.) The Pawnbroker is hereby indemnified for not delivering the pledge to any person until the expiration of the period aforesaid:

(4.) The Pawnbroker is further hereby indemnified for delivering the pledge or otherwise acting in conformity with the declaration, unless he has actual or constructive notice that the declaration is fraudulent or is false in any material particular.

If any person makes a declaration under this Act, either as an applicant or as identifying an applicant, knowing the same to be false in any material particular, he shall be guilty of a misdemeanor, and shall be liable to the punishment attaching by law to perjury.

Delivery to owner of property unlawfully pawned.

30. In each of the following cases,—

(1.) If any person is convicted under this Act in a court of summary jurisdiction of knowingly and designedly pawning with a Pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same:

(2.) If any person is convicted in any court of feloniously taking or fraudulently obtaining any goods and chattels, and it appears to the court that the same have been pawned with a Pawnbroker:

(3.) If in any proceedings before a court of summary jurisdiction it appears to the court that any goods and chattels brought before the court have been unlawfully pawned with a Pawnbroker:

the court, on proof of the ownership of the goods and chattels, may, if it thinks fit, order the delivery thereof to the owner, either on payment to the Pawnbroker of the amount of the loan or of any part thereof, or without payment thereof or of any part thereof, as to the court, according to the conduct of the owner and the other circumstances of the case, seems just and fitting.

Summary order for delivery of pledge to person entitled.

31. If a Pawnbroker, without reasonable excuse (proof whereof shall lie on him), neglects or refuses to deliver a pledge to the person entitled to have delivery thereof under this Act, he shall be guilty of an offence against this Act, and a court of summary jurisdiction may, if the court thinks fit, with or without imposing a penalty, order the delivery of the pledge on payment of the amount of the loan and profit.

General Restrictions on Pawnbrokers.

Prohibition of purchasing pledges; taking pledges from children, &c.

32. If a Pawnbroker does any of the following things,—

(1.) Takes an article in pawn from any person appearing to be under the age of twelve years or to be intoxicated;

(2.) Purchases or takes in pawn or exchange a pawn-ticket issued by another Pawnbroker;

(3.) Employs any servant or apprentice or other person under the age of sixteen years to take pledges in pawn;

(4.) Carries on the business of a Pawnbroker on Sunday, Good Friday, or Christmas Day, or a day appointed for public fast, humiliation, or thanksgiving;

(5.) Under any pretence purchases, except at public auction, any pledge while in pawn with him;

(6.) Suffers any pledge while in pawn with him to be redeemed with a view to his purchasing it;

(7.) Makes any contract or agreement with any person pawning or offering to pawn any article, or with the owner thereof, for the purchase, sale, or disposition thereof within the time of redemption;

(8.) Sells or otherwise disposes of any pledge pawned with him except at such time and in such manner as authorised by this Act;

he shall be deemed guilty of an offence against this Act.

Unlawful Pawning and taking in pawn.

Unlawful pawning of goods not property of pawner

33. If any person knowingly and designedly pawns with a Pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same, he shall be guilty of an offence against this Act, and shall be liable, on conviction thereof in a court of summary jurisdiction, to forfeit any sum not exceeding five pounds, and, in addition thereto, any sum not exceeding the full value of the pledge as ascertained by the court.

The forfeitures when recovered shall be applied towards making satisfaction thereout to the party injured, and defraying the costs of prosecution, as the court directs; but if the party injured declines to accept of such satisfaction and costs, or if there is any surplus of the forfeitures, then the forfeitures or surplus (as the case may be) shall be paid to the overseers of the poor of the parish or place where the offence is committed, for the use of the poor thereof.

Proceedings where persons offering articles in pawn do not give a good account of themselves, &c.

34. If any person does any of the following things,—

(1.) Offers to a Pawnbroker an article by way of pawn, being unable or refusing to give a satisfactory account of the means by which he became possessed of the article;

(2.) Wilfully gives false information to a Pawnbroker as to whether an article offered by him in pawn to the Pawnbroker is his own property or not, or as to his name and address, or as to the name and address of the owner of the article;

(3.) Not being entitled to redeem, and not having any colour of title by law to redeem, a pledge, attempts or endeavours to redeem the same;

he shall be guilty of an offence against this Act.

In every such case, and also in any case where, on an article being offered in pawn to a Pawnbroker he reasonably suspects that it has been stolen or otherwise illegally or clandestinely obtained, the Pawnbroker may seize and detain the person and the article, or either of them, and shall deliver the person and the article or either of them (as the case may be) as soon as may be into the custody of a constable, who shall as soon as may be convey the person, if so detained, before a justice, to be dealt with according to law.

The justice may, if he thinks fit, on the request of the Pawnbroker grant to him a certificate of the amount of the compensation which the justice deems reasonable for the Pawnbroker's expenses, trouble, and loss of time, in and about

the seizure, detention, and delivery, which certificate shall have the effect of an order of court for the payment of the expenses of a prosecution made under the Act described in Part II. of the Second Schedule to this Act, and the Acts amending the same; and the amount mentioned in the certificate shall be paid as money mentioned in such an order; and the certificate shall be subject to the like regulations as certificates mentioned in the last-mentioned Acts.

Prohibition of taking in pawn linen, clothing, unfinished goods, &c. in certain cases.

35. If a Pawnbroker knowingly takes in pawn any linen or apparel or unfinished goods or materials intrusted to any person to wash, scour, iron, mend, manufacture, work up, finish, or make up, he shall be guilty of an offence against this Act, and shall be liable, on conviction thereof in a court of summary jurisdiction, to forfeit a sum not exceeding double the amount of the loan (which forfeiture shall be paid to the overseers of the poor of the parish where the offence is committed, for the use of the poor thereof); and the Pawnbroker shall likewise restore the pledge to the owner thereof, in the presence of the court, or as the court directs.

Search warrant for linen, &c. unlawfully pawned.

36. If the owner of any linen, or apparel, or unfinished goods, or materials intrusted to any person as aforesaid, and unlawfully pawned with a Pawnbroker, or the owner of any other article unlawfully pawned with a Pawnbroker (the last-mentioned owner having on oath satisfied a justice that his goods have been unlawfully obtained or taken from him), makes out on oath before a justice that there is good cause to suspect that a Pawnbroker has taken in pawn the linen, apparel, goods, materials, or article aforesaid, without the privity or authority of the owner, and makes appear to the satisfaction of the justice probable grounds for such suspicion, the justice may issue his warrant for searching, within the hours of business, the shop of the Pawnbroker.

If the Pawnbroker, on request by a constable authorised by the warrant, refuses to open the shop and permit it to be searched, a constable may break it open within the hours of business, and search as he thinks fit therein for the linen, apparel, goods, materials, or article aforesaid, doing no wilful damage; and if any Pawnbroker or other person opposes or hinders the search, he shall be guilty of an offence against this Act.

If on the search any linen, apparel, goods, materials, or article aforesaid, is or are found, and the property of the owner thereof is made out to the satisfaction of a court of summary jurisdiction, the court shall cause the same to be forthwith restored to the owner thereof.

Inland Revenue Licenses.

Yearly license and excise duty.

37. Every Pawnbroker shall yearly take out from the Commissioners of Inland Revenue an excise license for carrying

on his business, on which license there shall be charged and paid for the use of Her Majesty, her heirs and successors, an excise duty of seven pounds ten shillings.

Every license shall be dated on the day on which it is issued and shall determine on the thirty-first day of July.

A separate license shall be taken out and paid for by a pawnbroker for each pawnbroker's shop kept by him.

If a person acts as a pawnbroker without having in force a proper license he shall for every such offence be liable to an excise penalty not exceeding fifty pounds.

All the provisions contained in any Act relating to excise licenses, duties or penalties, and in force at the commencement of this Act, shall, as far as the same are applicable, have full effect with respect to the license and duty and penalty aforesaid.

Cesser of license on conviction.

38. If a Pawnbroker is convicted on indictment of any fraud in his business, or of receiving stolen goods knowing them to be stolen, the court before which he is convicted may, if it thinks fit, direct that his license shall cease to have effect, and the same shall so cease accordingly.

Licenses not to be granted without certificate.

39. After the passing of this Act a Pawnbroker's license shall not be granted to any person except on the production and in pursuance of the authority of a certificate granted under this Act; save that it shall not be necessary for any person being at the commencement of this Act a licensed Pawnbroker, or for his executors, administrators, assigns, or successors, to obtain such a certificate.

Any license granted in contravention of this section shall be void.

Certificates to be granted by justices.

40. Certificates under this Act shall be granted (as regards England) in the metropolitan police district by a magistrate sitting in any police court in the metropolis having jurisdiction in the district where the application is made, and in any place within the jurisdiction of a stipendiary magistrate by that magistrate, and in other places by the justices of the petty sessional division assembled at petty sessions specially convened for that purpose.

Form and duration of certificate.

41. A certificate under this Act shall be in the form given in the Sixth Schedule to this Act, or to the like effect, and shall be in force for one year from its date.

Notice of first application.

42. A person intending to apply for the first time for a certificate under this Act shall proceed as follows:—

(1.) Twenty-one days at least before the application he shall give notice by registered letter sent by post of his intention to one of the overseers of the poor of the parish or place in which he intends to carry on business, and to the superintendent of police of the district, and shall in the notice set forth his name and address:

(2.) Within twenty-eight days before the application he shall cause a like notice to be affixed and maintained between ten o'clock in the morning and five o'clock in the afternoon of two consecutive Sundays, on the principal door or one of the doors of the church or chapel of the parish or place, or if there is none, then on some other public and conspicuous place in the parish or place.

Grounds of refusal of certificate.

43. An application for a certificate shall not be refused, except on the following grounds, or one of them:

(1.) That the applicant has failed to produce satisfactory evidence of good character;

(2.) That the shop in which he intends to carry on the business of a Pawnbroker, or any adjacent house or place owned or occupied by him, is frequented by thieves or persons of bad character;

(3.) That he has not complied with the last preceding section.

Forgery of certificate.

44. If any person forges a certificate, or tenders a certificate knowing it to be forged, he shall, on conviction thereof in a court of summary jurisdiction, be liable to a penalty not exceeding twenty pounds, or, in the discretion of the court, to imprisonment for any term not exceeding six months, with or without hard labour.

A license granted in pursuance of a forged certificate shall be void; and if any person makes use of a forged certificate, knowing it to be forged, he shall be disqualified from obtaining at any time thereafter a Pawnbroker's license.

Penalties and Legal Proceedings.

General penalty for offences.

45. If a Pawnbroker or other person is guilty of an offence against this Act, in respect whereof a specific forfeiture or penalty is not prescribed by this Act, he shall be liable, on conviction thereof in a court of summary jurisdiction, to a penalty not exceeding ten pounds.

Application of penalties.

46. Penalties recovered under this Act, not directed to be otherwise applied, may be applied under direction of the court in which they are recovered, as follows:

(1.) Where the complainant is the party aggrieved, one moiety of the penalty may be paid to him;

(2.) Where the complainant is not the party aggrieved, there shall be paid to him no part or such part only of the penalty as the court thinks fit.

Amends for frivolous informations.

47. Where an information or complaint of any offence against this Act (not being an offence against any provision of this Act relating to licenses) is laid or made before a justice or court of summary jurisdiction and is not further pro-

secuted, or if any such information or complaint is further prosecuted, but it appears to the court of summary jurisdiction by which the case is heard that there was no sufficient ground for the making of the charge, the justice or court shall have power to award such amends, not exceeding the sum of five pounds, to be paid by the informer or complainant to the party informed or complained against for his loss of time and expenses in the matter, as to the justice or court seem meet; and every sum so awarded shall be recoverable as penalties under this Act are recoverable.

Penalty on common informers compounding informations.

48. If any person lodges an information for an offence alleged to have been committed against this Act by which he was not personally aggrieved, and afterwards directly or indirectly receives, without the permission of a justice, any sum of money or other reward for compounding, delaying, or withdrawing the information, he shall be guilty of an offence against this Act.

Detention of persons offering forged pawn-tickets, &c.

49. If any person utters, produces, shows, or offers to a Pawnbroker a pawn-ticket which the Pawnbroker reasonably suspects to have been counterfeited, forged, or altered, the Pawnbroker may seize and detain the person and the ticket, or either of them, and shall deliver the person and the ticket, or either of them (as the case may be) as soon as may be into the custody of a constable, who shall, as soon as may be, convey the person, if so detained, before a justice to be dealt with according to law.

Production of books, &c. before justices.

50. A Pawnbroker shall at any time, when ordered or summoned by a court of summary jurisdiction, attend before the court and produce all books and papers relating to his business which he is required by the court to produce.

If he fails to do so, he shall be guilty of an offence against this Act.

Contracts not void on account of offences.

51. Where a Pawnbroker is guilty of an offence against this Act (not being an offence against any provision of this Act relating to licenses), any contract of pawn or other contract made by him, in relation to his business of Pawnbroker, shall nevertheless not be void by reason only of that offence, nor shall he by reason only of that offence lose his lien on or right to the pledge or to the loan and profit; but nothing in this section shall restrict the operation of any provision of this Act providing for the delivery of any goods and chattels, or the restoration of any linen, apparel, goods, materials, or article to the owner, under the order of any court.

Appeal to quarter sessions.

52. If any person thinks himself aggrieved by any conviction or order of a court of summary jurisdiction under this

Act, or by the refusal of a certificate for a license, he may appeal therefrom, subject to the conditions and regulations following:

(1.) The appeal shall be made to some court of general or quarter sessions for the county or place in which the cause of appeal has arisen, held not less than fifteen days and (unless adjourned by the court) not more than four months after the decision or refusal appealed from:

(2.) The appellant shall within seven days after the cause of appeal has arisen give notice to the other party and to the court or authority appealed from of his intention to appeal and the ground thereof:

(3.) The appellant shall immediately after such notice enter into a recognizance before a justice with two sufficient sureties conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or give such other security by deposit of money or otherwise as the justice allows:

(4.) Where the appellant is in custody the justice may, if he thinks fit, on the appellant entering into such recognizance or giving such other security as aforesaid, release him from custody:

(5.) The court of appeal may adjourn the appeal; and, upon the hearing thereof, they may confirm, reverse, or modify the decision or refusal appealed from, or remit the matter with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just, and may make such order as to costs to be paid by either party as the court thinks just.

Exclusion of certiorari.

53. No order or conviction of a court of summary jurisdiction against which a person is authorised by this Act to appeal shall be quashed for want of form, or be removed by certiorari or otherwise at the instance either of the Crown or of any private party into any superior court.

Validity of warrants.

54. A warrant of commitment, on a conviction by a court of summary jurisdiction under this Act, shall not be held void by reason of any defect therein, if only there is a valid conviction to maintain the warrant, and it is alleged therein that the party has been convicted.

Protection of persons executing Act.

55. If any person is sued or prosecuted for anything done by him in pursuance or execution or intended execution of this Act, he may plead generally that the same was done in pursuance or execution or intended execution of this Act, and give the special matter in evidence.

Scotland.

56. This Act shall apply to Scotland, subject to the following provisions: Application of Act to Scotland.

1. The following expressions occurring in this Act shall have the meanings hereby assigned to them; (that is to say,)
   "Overseers of the Poor" shall mean inspectors of the poor;
   "Entering into a recognizance before a justice" shall mean finding caution with the clerk of the peace to the satisfaction of such clerk;
   "Recognizance" shall mean a bond of caution;
   "Penalty" shall mean any money recoverable under this Act from a person convicted of contravening any of its provisions, and also any money recoverable as aforesaid as or through and in consequence of a forfeiture;
   "Sheriff" shall include sheriff substitute;
   "Court of summary jurisdiction" shall mean any sheriff, justice or justices of the peace, or magistrate by whatever name called, to proceedings before whom the provisions of "The Summary Procedure Act, 1864," may be applied:
2. The provisions of "The Summary Procedure Act, 1864," may be applied to all proceedings for the trial or prosecution for any offence, or for the recovery of any penalty, or for the obtaining of any order before a court of summary jurisdiction under this Act:
3. The court of summary jurisdiction when hearing and determining an information or complaint under this Act shall be constituted of two or more justices in petty sessions, or two or more magistrates of a burgh in a burgh court, or of a sheriff or some other magistrate or officer for the time empowered by law to do alone any act authorised to be done by more than one justice of the peace:
4. A person found liable under this Act in any penalty shall be liable in default of immediate payment to imprisonment for a term not exceeding six months; and the conviction and warrant may be in the form of No. 3 of Schedule K. of "The Summary Procedure Act, 1864:"
5. A person making default in complying with an order of court of summary jurisdiction under this Act shall be liable to imprisonment for a term not exceeding three months:
6. The court of summary jurisdiction may award costs, and shall have and exercise all the jurisdictions, powers, and authorities necessary for that court for the purposes of this Act:

7. A person authorised by this Act to appeal from a conviction or order of a court of summary jurisdiction may, when that court is a burgh or sheriff court, appeal to the next circuit court of justiciary, or where there are no circuit courts, to the High Court of Justiciary in Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, and any Act amending the same, as relate to appeals in matters criminal, and by and under the rules, limitations, conditions, and restrictions contained in the same provisions:

8. Certificates under this Act shall be granted by the justices for counties or districts, and the magistrates of burghs at their respective meetings for granting and renewing certificates for the sale of exciseable liquors, or at some adjournment thereof, which adjournment they respectively may make from time to time as they think fit for the purposes of this Act, or at some other meetings specially convened for that purpose:

9. Pawnbrokers shall not be deemed guilty of an offence against this Act who shall carry on the business of a Pawnbroker on Good Friday or Christmas Day.

Saving.

Saving for local Acts.

57. Nothing in this Act shall repeal or in any manner interfere with the operation of any local or local and personal Act for the time being in force in any city, town, burgh, or other place.

The SCHEDULES referred to in this Act.

THE FIRST SCHEDULE.

Enactments repealed as to Pawnbrokers in Great Britain.

1 Jac. 1. c. 21.	An Acte againste Brokers.	
25 Geo. 3. c. 48.	An Act for granting to His Majesty certain Stamp Duties on Licences to be taken out by persons using or exercising the trade or business of a Pawnbroker.	
39 & 40 Geo. 3. c. 99.	An Act for better regulating the business of Pawnbrokers.	
55 Geo. 3. c. 184. in part.	An Act for repealing the Stamp Duties on deeds, law proceedings, and other written or printed instruments, and the Duties on fire insurances and on legacies and successions to personal estate upon intestacies now payable in Great Britain, and for granting other Duties in lieu thereof	in part; namely—
	As far as the Act relates to licences to Pawnbrokers.	

9 Geo. 4. c. 49. in part.	An Act to amend the laws in force relating to the Stamp Duties on sea insurances, on articles of clerkship, on certificates of writers to the signet, and of conveyancers and others, on licences to dealers in gold and silver plate, and pawnbrokers, on drafts on bankers, and on licences for stage coaches in Great Britain, and on receipts in Ireland - - -	in part; namely—
	Section twelve as far as the same relates to Pawnbrokers licences.	
9 & 10 Vict. c. 98.	An Act to amend the law for regulating the hours of receiving and delivering goods and chattels as pawns in Pawnbrokers shops.	
17 & 18 Vict. c. 90. in part.	An Act to repeal the laws relating to usury and to the enrolment of Annuities - - - -	in part; namely—
	Section four as far as that section provides that all laws touching and concerning Pawnbrokers shall remain in full force and effect to all intents and purposes whatsoever as if that Act had not been passed.	
19 & 20 Vict. c. 27.	An Act to amend the Acts relating to Pawnbrokers.	
22 & 23 Vict. c. 14.	An Act to amend an Act of the thirty-ninth and fortieth years of King George the Third, for better regulating the business of Pawnbrokers.	
23 & 24 Vict. c. 21.	An Act to amend the Act for better regulating the business of Pawnbrokers.	
27 & 28 Vict. c. 56. in part.	An Act for granting to Her Majesty certain Stamp Duties, and to amend the laws relating to the Inland Revenue - -	in part; namely—
	Section six as far as the same relates to Pawnbrokers licences.	

THE SECOND SCHEDULE.

Enactments referred to.

PART I.

11 & 12 Vict. c. 43.	An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales with respect to summary convictions and orders [in this Act called the Summary Jurisdiction Act of 1848].

PART II.

7 Geo. 4. c. 64.	An Act for improving the administration of Criminal Justice in England.

THE THIRD SCHEDULE.

Forms of Books and Documents.

I.—PLEDGE BOOK.

of Pawnbroker,
of 1872.

For Date of Redemption.	For Profit charged.	For Amount of Loan. £ s. d.	For No. of Pledge in the Month.	For Name of Pawner.	For Address of Pawner.	For Name of Owner, if other than Pawner.	For Address of Owner, if other than Pawner.	For List of Articles Pawned, as described on Pawn-Ticket.

Rule.

All entries in the last five columns respecting each pledge shall be made on the day of the pawning thereof or within four hours after the end of that day.

II.—PAWN-TICKET.

A.—*For loan of ten shillings or under.*

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*17th*] day of [*March 1873*],
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*ten*] shillings,
[*One Black Frock Coat*].

* The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back.

* The Pawnbroker is entitled to charge—

For this ticket - - - - - One halfpenny.

For profit on each two shillings or part of two shillings lent on this pledge for not more than one calendar month - - - - One halfpenny.

And so on at the same rate per calendar month.

After the first calendar month any time not exceeding fourteen days will be charged as half a month, and any time exceeding fourteen days and not more than one month will be charged as one month.

This pledge must be redeemed within twelve calendar months and seven days from the date of pledging. At the end of that time it becomes the property of the Pawnbroker.

If the pledge is destroyed or damaged by fire the Pawnbroker will be bound to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent. on the amount of the loan.

If this ticket is lost, mislaid, or stolen, the pawner should at once apply to the Pawnbroker for a form of declaration to be made before a magistrate, or the Pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

B.—*For loan of above ten shillings and not above forty shillings.*

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*18th*] day of [*March 1873*],
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*eleven*] shillings,
[*One Grey Tweed Coat*].

* The Pawnbroker is entitled to charge—

For this ticket - - - -	One penny.
For profit on each two shillings or part of two shillings lent on this pledge for not more than one calendar month - - - -	One halfpenny.
And so on at the same rate per calendar month.	
After the first calendar month any time not exceeding fourteen days will be charged as half a month, and any time exceeding fourteen days and not more than one month will be charged as one month.	

* The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back.

If this pledge is not redeemed within twelve calendar months and seven days from the day of pledging, it may be sold by auction by the Pawnbroker, but it may be redeemed at any time before the day of sale.

Within three years after sale the pawner may inspect the account of the sale in the Pawnbroker's books on payment of one penny, and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the Pawnbroker against surplus on another.

If the pledge is destroyed or damaged by fire the Pawnbroker will be bound to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent. on the amount of the loan.

If this ticket is lost or mislaid the pawner should at once apply to the Pawnbroker for a form of declaration to be made before a magistrate, or the Pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

C.—*For loan of above forty shillings.*

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*19th*] day of [*March 1873*],
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*eleven*] shillings,
[*One Shooting Coat*].

* The pawnbroker is entitled to charge—

For this ticket - - - -	One penny.
For profit on each two shillings and sixpence or part of two shillings and sixpence lent on this pledge for every calendar month or part of a calendar month - - - -	One halfpenny.

* The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back.

If this pledge is not redeemed within twelve calendar months and seven days from the day of pledging, it may be sold by auction by the Pawnbroker, but it may be redeemed at any time before the day of sale.

Within three years after sale the pawner may inspect the account of the sale in the Pawnbroker's books on payment of one penny, and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the Pawnbroker against surplus on another.

If the pledge is destroyed or damaged by fire the Pawnbroker will be bound to pay the value of the pledge after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent. on the amount of the loan.

If this ticket is lost or mislaid the pawner should at once apply to the Pawnbroker for a form of declaration to be made before a magistrate, or the Pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

III.—SALE BOOK OF PLEDGES FOR LOANS OF ABOVE TEN SHILLINGS.

[Date and place of sale.]

[Name and place of business of Auctioneer.]

For No. of Pledge as in Pledge Book.	For Date of Pawning.	For Name of Pawner.	£ s. d. For Amount of Loan.	For Amount for which Pledge sold as stated by Auctioneer.

IV.—DECLARATION WHERE PLEDGE CLAIMED BY OWNER.

TAKE NOTICE *if this declaration is false the person making it is punishable as for perjury.*

Unless this printed form is taken before a magistrate and declared to and signed and delivered back to the Pawnbroker not later than the day of , the articles mentioned in it will be delivered to any person producing the pawn-ticket.

I, *A.B.*, of , in pursuance of The Pawnbrokers Act, 1872, do solemnly and sincerely declare that the article [*or* articles] described below is [*or* are] my property, and that I believe they are pledged at the shop of .

The article [*or* articles] above referred to is [*or* are] the following:—

And I, *C.D.*, of , in pursuance of the same Act do solemnly and sincerely declare that

I know the person now making the foregoing declaration to be *A.B.* of

Declared before me, one of Her Majesty's justices of the peace for the county of [*Middlesex*] this day of 187 .

V.—DECLARATION WHERE PAWN-TICKET LOST, &c.

TAKE NOTICE *if this declaration is false the person making it is punishable as for perjury.*

Unless this printed form is taken before a magistrate and declared to and signed and delivered back to the Pawnbroker not later than the day of , the articles mentioned in it will be delivered to any person producing the pawn-ticket.

I, *A.B.*, of , in pursuance of The Pawnbrokers Act, 1872, do solemnly and sincerely declare that pledged at the shop of , Pawnbroker, the article [*or* articles] described below being property, and received a pawn-ticket for the same which has since been by , and that the pawn-ticket has not been sold or transferred to any person by or to knowledge or belief.

The article [*or* articles] above referred to is [*or* are] the following:—

And I, *C.D.*, of , in pursuance of the same Act, do solemnly and sincerely declare that I know the person now making the foregoing declaration to be *A.B.* of

Declared before me, one of Her Majesty's justices of the peace for the county of [*Middlesex*] this day of 187 .

VI.—RECEIPT.

[*Date.*]

Received on redemption of pledge No.

Amount of loan - - -	
Profit - - - - -	
Total - -	

[*A.B.*,]
Pawnbroker.

VII.—SPECIAL CONTRACT.

SPECIAL CONTRACT UNDER ACT OF PARLIAMENT.

Pawned with [*John Smith,*] Pawnbroker,
[*236, High Street, Whitechapel,*]
this [*17th*] day of [*April 1873,*]
by [*Henry Williams,*] of [*25, King Street, Holborn,*]
for the sum of [*forty-eight shillings,*]
[*One Marble Clock*].

* The following is to be printed on the ticket, on the front or back, or partly on the front and partly on the back.

* TERMS OF THE SPECIAL CONTRACT.

The Pawnbroker charges—
For this ticket - - - - -
Profit at the rate per calendar month of -
After the first calendar month any time not exceeding fourteen days will be charged as half a month, and any time exceeding fourteen days and not more than one month will be charged as one month - - -

The charge for storage of this pledge will be per calendar month, or any part of a month, in addition to the charges above mentioned.

† Not less than three.

This pledge is pawned for the period of † months.

After the expiration of that time the pledge may be sold by auction by the Pawnbroker. But it may be redeemed by the pawner at any time before the day of sale.

Within three years after sale the pawner may inspect the account of the sale in the Pawnbroker's books on payment of , and receive any surplus produced by the sale. But deficit on sale of one pledge may be set off by the Pawnbroker against surplus on another.

If the pledge is destroyed or damaged by fire the Pawnbroker will be bound to pay the value of the pledge, after deducting the amount of the loan and profit, such value to be the amount of the loan and profit and twenty-five per cent. on the amount of the loan, unless otherwise agreed upon by the pawner and Pawnbroker.

If this ticket is lost or mislaid the pawner should at once apply to the Pawnbroker for a form of declaration to be made before a magistrate, or the Pawnbroker will be bound to deliver the pledge to any person who produces this ticket to him and claims to redeem the same.

(Signed) [*John Smith,*] Pawnbroker.
(Signed) [*Henry Williams,*] Pawner.

THE FOURTH SCHEDULE.

Profit and Charges allowed to Pawnbrokers.

PART I.—PROFIT ON LOAN.

A. On a loan of forty shillings or under—

For any time during which the pledge remains in pawn not exceeding one month, for every two shillings or fraction of two shillings lent	One halfpenny.
For every month after the first, including the current month in which the pledge is redeemed, although that month is not expired, for every two shillings or fraction of two shillings lent - - - -	One halfpenny.

Provisoes.

1. If the pledge is redeemed before the end of the first fourteen days after the expiration of any month, the Pawnbroker shall, in respect of those fourteen days, be entitled to take half of the amount which he would be entitled to take for the whole month.

B. On a loan of above forty shillings—

For every month or part of a month for every sum of two shillings and sixpence or fraction of a sum of two shillings and sixpence	- One halfpenny.

PART II.—CHARGE ON PAWN-TICKET.

Where the loan is ten shillings or under	- One halfpenny.
Where the loan is above ten shillings -	- One penny.

PART III.—CHARGE ON INSPECTION OF SALE BOOK.

For the inspection of the entry of a sale	- One penny.

PART IV.—CHARGE ON FORM OF DECLARATION.

Where the loan is five shillings or under	- One halfpenny.
Where the loan is above five shillings -	- One penny.

Rule.

This sum is to be paid by the applicant at the time of application.

THE FIFTH SCHEDULE.

Regulations as to Auctions of Pledges above Ten Shillings.

1. The auctioneer shall cause all pledges to be exposed to public view.

2. He shall publish catalogues of the pledges, stating—

(1.) The Pawnbroker's name and place of business;

(2.) The month in which each pledge was pawned;

(3.) The number of each pledge as entered at the time of pawning in the pledge book.

3. The pledges of each Pawnbroker in the catalogue shall be separate from any pledges of any other Pawnbroker.

4. The auctioneer shall insert in some public newspaper an advertisement giving notice of the sale, and stating—

(1.) The Pawnbroker's name and place of business;

(2.) The months in which the pledges were pawned.

5. The advertisement shall be inserted on two several days in the same newspaper, and the second advertisement shall be inserted a least three clear days before the first day of sale.

6. Pictures, prints, books, bronzes, statues, busts, carvings in ivory and marble, cameos, intaglios, musical, mathematical, and philosophical instruments, and china, sold by auction, shall be sold by themselves, and without any other goods being sold at the same sale, four times only in every year, (that is to say,) on the first Monday in the months of January, April, July, and October, and on the following day and days, if the sale exceeds one day, and at no other time.

7. Where a Pawnbroker bids at a sale the auctioneer shall not take the bidding in any other form than that in which he takes the biddings

of other persons at the same sale; and the auctioneer on knocking down any article to a Pawnbroker shall forthwith declare audibly the name of the Pawnbroker as purchaser.

8. The auctioneer shall, within fourteen days after the sale, deliver to the Pawnbroker a copy of the catalogue, or of so much thereof as relates to the pledges of that Pawnbroker, filled up with the amounts for which the several pledges of that Pawnbroker were sold, and authenticated by the signature of the auctioneer.

9. The Pawnbroker shall preserve every such catalogue for three years at least after the auction.

THE SIXTH SCHEDULE.

Forms of Certificates of Magistrates and Justices.

I.—ENGLAND.

I [*or* we] [*here insert description of the magistrate or justices*] do hereby certify that I [*or* we] do authorise the grant to *A.B.* of in the county of -of a license to carry on the business of a Pawnbroker within the township of [*or* parish of *or other place as the case may be*].

Witness my hand [*or* our hands] this day of 18 .

II.—SCOTLAND.

At a general meeting for granting and renewing certificates for the sale of exciseable liquors held by Her Majesty's justices of the peace acting in and for the county [*or* of the magistrates of the burgh, *as the case may be*] of held at within the said county [*or* burgh], the day of 18 , Her Majesty's justices of the peace acting in and for the said county [*or* the magistrates of the said burgh] assembled at the said meeting [*if at another meeting, describe same*] did authorise and empower *A.B.*, now dwelling at , to carry on the business of a Pawnbroker within the parish of and county [*or* burgh] aforesaid [*or other place, as the case may be*], provided the said *A.B.* is licensed and empowered to carry on the business aforesaid under the authority and permission of any excise license to him in that behalf granted.

This certificate to continue in force from the day of until the day of 18 and no longer.

The above-written certificate is made out according to the deliverance in the book or register kept in terms of the Act of Parliament.

(Signed) *C.D., Clerk.*

CHAPTER 94.

An Act for Regulating the Sale of Intoxicating Liquors. [10th August 1872.]

WHEREAS it is expedient to amend the law for the sale by retail of intoxicating liquors, and the regulation of public-houses and other places in which intoxicating liquors are sold, and to make further provision in respect of the grant of new licenses for the sale of intoxicating liquors, and the better prevention of drunkenness:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The Licensing Act, 1872." Short title.

2. This Act shall not extend to Scotland. Extent of Act.

Illicit Sales.

3. No person shall sell or expose for sale by retail any intoxicating liquor without being duly licensed to sell the same, or at any place where he is not authorised by his license to sell the same. Any person selling or exposing for sale by retail any intoxicating liquor which he is not licensed to sell by retail, or selling or exposing for sale any intoxicating liquor at any place where he is not authorised by his license to sell the same, shall be subject to the following penalties; that is to say, Prohibition of sale of intoxicating liquors without license.

(1.) For the first offence he shall be liable to a penalty not exceeding fifty pounds, or to imprisonment with or without hard labour for a term not exceeding one month:

(2.) For the second offence he shall be liable to a penalty not exceeding one hundred pounds, or to imprisonment with or without hard labour for a term not exceeding three months, and he may, by order of the court by which he is tried, be disqualified for any term not exceeding five years from holding any license for the sale of intoxicating liquors:

(3.) For the third and any subsequent offence he shall be liable to a penalty not exceeding one hundred pounds, or to imprisonment with or without hard labour for any term not exceeding six months, and may by order of the court by which he is tried be disqualified for any term of years or for ever from holding any license for the sale of intoxicating liquors:

In addition to any other penalty imposed by this section any person convicted of a second or any subsequent offence under this section shall, if he be the holder of a license forfeit such license, and in the case of a conviction for any offence under this section, the court may, if it thinks expedient so to do, declare all intoxicating liquor found in the possession of any such person as last aforesaid, and the vessels containing such liquor, to be forfeited.

No penalty shall be incurred under this section by the heirs, executors, administrators, or assigns of any licensed person who dies before the expiration of his license, or by the trustee of any licensed person who is adjudged a bankrupt, or whose affairs are liquidated by arrangement before the expiration of his license in respect of the sale or exposure for sale of any intoxicating liquor, so that such sale or exposure for sale be made on the premises specified in such license, and take place prior to the special session then next ensuing, or (if such special session be holden within fourteen days next after the death of the said person or the appointment of a trustee in the case of his bankruptcy, or the liquidation of his affairs by arrangement) take place prior to the special session holden next after such special session as last aforesaid.

Occupier of unlicensed premises liable for sale of liquor.

4. The occupier of any unlicensed premises on which any intoxicating liquor is sold, or if such premises are occupied by more than one person, every occupier thereof, shall, if it be proved that he was privy or consenting to the sale, be subject to the penalties imposed upon persons for the sale of intoxicating liquors without license.

Seller liable for drinking on premises contrary to license.

5. If any purchaser of any intoxicating liquor from a person who is not licensed to sell the same to be drunk on the premises drinks such liquor on the premises where the same is sold, or on any highway adjoining or near such premises, the seller of such liquor shall, if it shall appear that such drinking was with his privity or consent, be subject to the following penalties; (that is to say,)

For the first offence he shall be liable to a penalty not exceeding ten pounds:

For the second and any subsequent offence he shall be liable to a penalty not exceeding twenty pounds.

For the purposes of this section the expression "premises where the same is sold" shall include any premises adjoining or near the premises where the liquor is sold, if belonging to the seller of the liquor or under his control, or used by his permission.

Any conviction for an offence under this section shall be recorded on the license of the person convicted.

Evasion of law as to drinking.

6. If any person having a license to sell intoxicating liquors not to be drunk on the premises, himself takes or carries, or

employs or suffers any other person to take or carry, any intoxicating liquor out of or from the premises of such licensed person for the purpose of being sold on his account, or for his benefit or profit, and of being drunk or consumed in any other house, or in any tent, shed, or other building of any kind whatever belonging to such licensed person, or hired, used, or occupied by him, or on or in any place, whether enclosed or not, and whether or not a public thoroughfare, such intoxicating liquor shall be deemed to have been consumed by the purchasers thereof on the premises of such licensed person, with his privity and consent, and such licensed person shall be punished accordingly in manner provided by this Act. On premises contrary to license.

Any conviction for an offence under this section shall be recorded on the license of the person convicted.

In any proceeding under this section it shall not be necessary to prove that the premises or place or places to which such liquor is taken to be drunk belonged to, or were hired, used, or occupied by the seller, if proof be given to the satisfaction of the court hearing the case that such liquor was taken to be consumed thereon or therein with intent to evade the conditions of his license.

7. Every holder of a license who sells or allows any person to sell, to be consumed on the premises, any description of spirits to any person apparently under the age of sixteen years, shall be liable to a penalty not exceeding twenty shillings for the first offence, and not exceeding forty shillings for the second and any subsequent offence. Sale of spirits to children.

8. Every person shall sell all intoxicating liquor which is sold by retail and not in cask or bottle, and is not sold in a quantity less than half a pint, in measures marked according to the imperial standards. Sale to be by standard measure.

Every person who acts or suffers any person under his control or in his employment to act in contravention of this section shall be liable to a penalty not exceeding, for the first offence ten pounds, and not exceeding for any subsequent offence twenty pounds, and shall also be liable to forfeit the illegal measure in which the liquor was sold.

9. Every person who makes or uses, or allows to be made or used, any internal communication between any licensed premises and any unlicensed premises which are used for public entertainment or resort, or as a refreshment house, shall be liable to a penalty not exceeding ten pounds for every day during which such communication remains open. Penalty on internal communication between licensed premises and house of public resort.

In addition to any penalty imposed by this section any person convicted of an offence under this section shall, if he be the holder of a license, forfeit such license.

10. If any licensed person has in his possession on the premises in respect of which his license is granted, any Penalty on illicit storing of liquor.

description of intoxicating liquor which he is not authorised to sell, unless he shall account for the possession of the same to the satisfaction of the court by which he is tried, he shall forfeit such liquor and the vessels containing the same, and shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for any subsequent offence twenty pounds.

Names of licensed persons to be affixed to premises.

11. Every licensed person shall cause to be painted or fixed, and shall keep painted or fixed on the premises in respect of which his license is granted, in a conspicuous place and in such form and manner as the Commissioners of Inland Revenue may from time to time direct, his name, with the addition after the name of the word "licensed," and of words sufficient, in the opinion of the said commissioners to express the business for which his license has been granted, and in particular of words expressing whether the license authorises the sale of intoxicating liquor to be consumed on or off the premises only, as the case may be; and no person shall have any words or letters on his premises importing that he is authorised as a licensed person to sell any intoxicating liquor which he is not in fact duly authorised to sell. Every person who acts in contravention of the provisions of this section shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second and any subsequent offence twenty pounds.

Offences against Public Order.

Penalty on persons found drunk.

12. Every person found drunk in any highway or other public place, whether a building or not, or on any licensed premises, shall be liable to a penalty not exceeding ten shilings, and on a second conviction within a period of twelve months shall be liable to a penalty not exceeding twenty shillings, and on a third or subsequent conviction within such period of twelve months be liable to a penalty not exceeding forty shillings.

Every person who in any highway or other public place, whether a building or not, is guilty while drunk of riotous or disorderly behaviour, or who is drunk while in charge on any highway or other public place of any carriage, horse, cattle, or steam engine, or who is drunk when in possession of any loaded fire-arms, may be apprehended, and shall be liable to a penalty not exceeding forty shillings, or in the discretion of the court to imprisonment with or without hard labour for any term not exceeding one month.

Where the court commits any person to prison for non-payment of any penalty under this section, the court may order him to be imprisoned with hard labour.

Penalty for permitting drunkenness.

13. If any licensed person permits drunkenness or any violent, quarrelsome, or riotous conduct to take place on his

premises, or sells any intoxicating liquor to any drunken person, he shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second and any subsequent offence twenty pounds.

Any conviction for an offence under this section shall be recorded on the license of the person convicted, unless the convicting magistrate or justices shall otherwise direct.

Penalty for keeping disorderly house.

14. If any licensed person knowingly permits his premises to be the habitual resort of or place of meeting of reputed prostitutes, whether the object of their so resorting or meeting is or is not prostitution, he shall, if he allow them to remain thereon longer than is necessary for the purpose of obtaining reasonable refreshment, be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second and any subsequent offence twenty pounds.

Any conviction for an offence under this section shall, unless the convicting magistrate or justices shall otherwise direct, be recorded on the license of the person convicted.

Penalty for permitting premises to be a brothel.

15. If any licensed person is convicted of permitting his premises to be a brothel, he shall be liable to a penalty not exceeding twenty pounds, and shall forfeit his license, and he shall be disqualified for ever from holding any license for the sale of intoxicating liquors.

Penalty for harbouring constable.

16. If any licensed person—

(1.) Knowingly harbours or knowingly suffers to remain on his premises any constable during any part of the time appointed for such constable being on duty, unless for the purpose of keeping or restoring order or in execution of his duty; or

(2.) Supplies any liquor or refreshment, whether by way of gift or sale, to any constable on duty unless by authority of some superior officer of such constable; or

(3.) Bribes or attempts to bribe any constable,

he shall be liable to a penalty not exceeding, for the first offence ten pounds, and not exceeding for the second or any subsequent offence twenty pounds. Any conviction for an offence under this section shall, unless the convicting magistrate or justices shall otherwise direct, be recorded on the license of the person convicted.

Penalty for permitting gaming.

17. If any licensed person—

(1.) Suffers any gaming or any unlawful game to be carried on on his premises; or

(2.) Opens, keeps, or uses, or suffers his house to be opened, kept, or used in contravention of the Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter one hundred and nineteen, intituled "An Act for the suppression of betting houses,"

he shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second and any subsequent offence twenty pounds.

Any conviction for an offence under this section shall, unless the convicting magistrates shall otherwise direct, be recorded on the license of the person convicted.

Power to exclude drunkards from licensed premises.

18. Any licensed person may refuse to admit to and may turn out of the premises in respect of which his license is granted any person who is drunken, violent, quarrelsome, or disorderly, and any person whose presence on his premises would subject him to a penalty under this Act.

Any such person who upon being requested in pursuance of this section by such licensed person, or his agent or servant, or any constable, to quit such premises, refuses or fails so to do, shall be liable to a penalty not exceeding five pounds, and all constables are required on the demand of such licensed person, agent, or servant, to expel or assist in expelling every such person from such premises, and may use such force as may be required for that purpose.

The court committing any person to prison for nonpayment of any penalty under this section may order him to be imprisoned with hard labour.

Adulteration.

Penalty on adulteration of intoxicating liquor.

19.

(1.) Every person who mixes or causes to be mixed with any intoxicating liquor sold or exposed for sale by him any deleterious ingredient, that is to say, any of the ingredients specified in the First Schedule to this Act, or added to such schedule by any Order in Council made under this Act, or any ingredient deleterious to health; and

(2.) Every person who knowingly sells or keeps or exposes for sale any intoxicating liquor mixed with any deleterious ingredient (in this Act referred to as adulterated liquor),

shall be liable for the first offence to a penalty not exceeding twenty pounds, or to imprisonment for a term not exceeding one month, with or without hard labour; and for the second and any subsequent offence to a penalty not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, with or without hard labour, and to be declared to be a disqualified person for a period of not less than two years nor exceeding ten years, and shall also in the case of the first as well as any subsequent offence forfeit all adulterated liquor in his possession, with the vessels containing the same.

Where the person so convicted is a licensed person, he shall further, in the case of a second or any subsequent offence, be liable to forfeit his license, and the premises in respect of which such license is granted shall be liable to be declared

to be disqualified premises for a period of not less than two years nor exceeding five years.

In the case of a first offence and any subsequent offence until the license is forfeited, the conviction shall be recorded on the license of the person convicted.

Where a licensed person is convicted of any offence under this section and his license is not forfeited for such offence, the police authority of the district shall cause a placard stating such conviction to be affixed to the premises. Such placard shall be of such size and form, and shall be printed with such letters, and shall contain such particulars, and shall be affixed to such part of the licensed premises as the police authority may think fit, and such licensed person shall keep the same affixed during two weeks after the same is first affixed; and if he fails to comply with the provisions of this section with respect to keeping affixed such placard, or defaces or allows such placard to be defaced, or if the same is defaced and he fails forthwith to renew the same, he shall be liable to a penalty not exceeding forty shillings for every day on which the same is not so undefaced, and any constable may affix or re-affix such placard during the said two weeks, or such further time as may be directed by a court of summary jurisdiction.

Possession of adulterated liquor or deleterious ingredients.

20. Every licensed person who has in his possession or in any part of his premises any adulterated liquor knowing it to be adulterated, or any deleterious ingredient, specified in the First Schedule hereto or added to such schedule by Order of Her Majesty in Council, for the possession of which he is unable to account to the satisfaction of the court, shall be deemed knowingly to have exposed for sale adulterated liquor on such premises.

Schedule of deleterious ingredients.

21. It shall be lawful for Her Majesty by Order in Council from time to time to add to the First Schedule to this Act any ingredient which appears to Her Majesty in Council to be deleterious to health, and to remove any ingredient from the said schedule, and to revoke or alter any order previously made.

Every such order shall be published in the London Gazette, and shall take effect at the expiration of seven days from the date of such publication or at any later date mentioned in the order, and shall have effect as if it were enacted in this Act.

Every such order shall be laid before both Houses of Parliament within three weeks after it is made, or if Parliament be not then sitting within three weeks after the commencement of the then next session of Parliament.

Analysis of intoxicating liquor.

22. Any of the following officers, that is to say, any superintendent of police or other constable authorised in writing by the police authority so to do, and any officer of Inland

Revenue, may procure samples of any intoxicating liquor from any person selling or keeping or exposing the same for sale (in this section referred to as the vendor); he may procure such samples either by purchasing the same, or by requiring the vendor to show him and allow him to inspect all or any of the vessels in which any intoxicating liquor in the possession of the vendor is stored, and the place of the storage thereof, and to give him samples of such intoxicating liquor on payment or tender of the value of such samples.

If the vendor or his agent or servant, when required in pursuance of this section, refuses or fails to admit the officer, or refuses or wilfully omits to show all or any of the vessels in which intoxicating liquor is stored, or the place of the storage thereof, or to permit the officer to inspect the same, or to give any samples thereof, or to furnish the officer with such light or assistance as he may require, he shall be liable to the same penalty, forfeiture, and disqualification as if he knowingly sold or exposed for sale adulterated liquor.

When the officer has by either of the means aforesaid procured samples of intoxicating liquor, he shall cause the same to be analysed, at such convenient place and time and by such person as the Commissioners of Inland Revenue may appoint; provided always, that a reasonable notice shall have been given by such officer to the vendor by whom such sample was furnished, to enable such vendor, if he think fit, to attend at the time when such sample is open for analysis; and if it appear to the person so analysing that the said samples of intoxicating liquor are adulterated liquor within the meaning of this Act, he shall certify such fact, and the certificate so given shall be receivable as evidence in any proceedings that may be taken against any person in pursuance of this Act, subject to the right of any person against whom proceedings are taken to require the attendance of the person making the analysis for the purpose of cross-examination.

The vendor may require the officer, in his presence, to annex to every vessel containing any samples for analysis the name and address of the vendor, and to secure with a seal or seals belonging to the vendor the vessel containing such samples, and the name and address annexed thereto, in such manner that the vessel cannot be opened, or the name and address taken off, without breaking such seals; and a corresponding sample sealed by such officer with his own seal shall, if required, be left with the vendor for reference in case of disputes as to the correctness of the analysis or otherwise; and the certificate of the person who analyses such samples shall state the name and address of the vendor, and that the vessels were not open, and that the seals securing to the vessels the name and address of the vendor were not broken until such time as he opened the vessels for the purpose of making his analysis; and in such case as aforesaid

no certificate shall be receivable in evidence unless there is contained therein such statement as above, or to the like effect.

Any expenses incurred in analysing any intoxicating liquor of a vendor in pursuance of this section shall, if such vendor be convicted of selling or keeping, or exposing for sale, or having in his possession adulterated liquor in contravention of this Act, be deemed to be a portion of the costs of the proceedings against him, and shall be paid by him accordingly. In any other event such expenses shall be paid as part of the expenses of the officer who procured the sample.

Closing Licensed Premises in case of Riot.

Power of justices to close licensed premises in case of riot.

23. Any two justices of the peace acting for any county or place where any riot or tumult happens or is expected to happen may order every licensed person in or near the place where such riot or tumult happens or is expected to happen to close his premises during any time which the justices may order; and any person who keeps open his premises for the sale of intoxicating liquors during any time at which the justices have ordered them to be closed shall be liable to a penalty not exceeding fifty pounds; and it shall be lawful for any person acting by order of any justices to use such force as may be necessary for the purpose of closing such premises.

Closing of Premises.

Times of closing.

24. Subject as herein-after mentioned all premises on which intoxicating liquors are sold or exposed for sale by retail shall be closed as follows; that is to say,

(1.) If such premises are situated within the city of London or the liberties thereof, or any parish or place subject to the jurisdiction of the Metropolitan Board of Works, or within the four mile radius from Charing Cross, on Sunday, Christmas Day, and Good Friday during the whole day before one of the clock in the afternoon, and between the hours of three and six of the clock in the afternoon, and after the hour of eleven of the clock at night; and on all other days before five of the clock on the following morning:

(2.) If situated beyond the city of London and the liberties thereof, and the parishes or places subject to the jurisdiction of the Metropolitan Board of Works, or beyond the four mile radius from Charing Cross, on Sunday, Christmas Day, and Good Friday during the whole day before the hour of half-past twelve (or, if the licensing justices direct, one) in the afternoon, and between the hours of half-past two (or, if one be the hour of opening, then three) and six in the afternoon, and after the hour of ten (or, if the licensing justices direct, any hour not earlier than

nine and not later than eleven) at night, and on all other days before the hour of six (or, if the licensing justices direct, any hour not earlier than five and not later than seven) in the morning, and after the hour of eleven (or, if the licensing justices direct, any hour not earlier than ten and not later than twelve) at night.

Any person who sells or exposes for sale, or opens or keeps open any premises for the sale of intoxicating liquors during the time that such premises are directed to be closed by or in pursuance of this section, or during such time as aforesaid allows any intoxicating liquors to be consumed on such premises, shall for the first offence be liable to a penalty not exceeding ten pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Any conviction for an offence against this section shall be recorded on the license of the person convicted, unless the convicting magistrate or justices shall otherwise direct.

None of the provisions contained in this section shall preclude a person licensed to sell any intoxicating liquor to be consumed on the premises from selling such liquor to bonâ fide travellers or to persons lodging in his house.

Nothing in this section contained shall preclude the sale at any time, at a railway station, of intoxicating liquors to persons arriving at or departing from such station by railroad.

An order for the alteration of the closing hours in pursuance of sub-section two of this section may be made by the licensing justices at any general annual licensing meeting, or any adjournment thereof, held in pursuance of the Act of the ninth year of George the Fourth, chapter sixty-one.; and also in Middlesex or Surrey at any time before the next general annual licensing meeting at any special sessions summoned for the purpose; provided that, twenty-one days at the least before any such meeting or adjournment, notice be given, in the same manner as is prescribed by the last-mentioned Act for the holding of such meeting or adjournment, that the alteration of the closing hours will then be considered: Provided that no order allowing licensed premises to remain open after the hour of ten at night on Sunday, Christmas Day, or Good Friday, or after the hour of eleven at night on other days, shall, as to such allowance, apply to premises in respect of which a certificate is in force under "The Wine and Beerhouse Acts, 1869 and 1870."

Provided further, that premises in respect of which such certificate is in force, if situated in a town containing less than two thousand five hundred inhabitants, and beyond the city of London and the liberties thereof and the parishes or places subject to the jurisdiction of the Metropolitan Board of Works or beyond the four mile radius from Charing Cross, shall not on any day be open after the hour of ten at night.

Any order made by the licensing justices for the alteration of closing hours, shall not come into operation until the expiration of one month after the date thereof, and in the meantime shall be advertised in such manner as the licensing justices shall direct.

Penalty on person found on premises during closing hours.

25. If, during any period during which any premises are required under the provisions of this Act to be closed any person is found on such premises, he shall, unless he satisfies the court that he was an inmate, servant, or a lodger on such premises, or a bonâ fide traveller, or that otherwise his presence on such premises was not in contravention of the provisions of this Act with respect to the closing of licensed premises, be liable to a penalty not exceeding forty shillings.

Any constable may demand the name and address of any person found on any premises during the period during which they are required by the provisions of this Act to be closed, and if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness of such name and address, and may, if such person fail upon such demand to give his name or address, or such evidence, apprehend him without warrant, and carry him, as soon as practicable, before a justice of the peace.

Any person required by a constable under this section to give his name and address who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall be liable to a penalty not exceeding five pounds.

Every person who by falsely representing himself to be a traveller or a lodger buys or obtains or attempts to buy or obtain at any premises any intoxicating liquor during the period during which such premises are closed in pursuance of this Act shall be liable to a penalty not exceeding five pounds.

Exemption from closing by order of local authority in respect of certain trades.

26. The local authority of any licensing district, upon the production of such evidence as such authority may deem sufficient to show that it is necessary or desirable so to do for the accommodation of any considerable number of persons attending any public market, or following any lawful trade or calling, or attending any theatre, may grant, if such authority think fit, to any licensed victualler or licensed keeper of a refreshment house, in respect of premises in the immediate neighbourhood of such market, or of the place where the persons follow such lawful trade or calling, or of any such theatre, an order exempting such person from the provisions of this Act with respect to the closing of his premises on such days and during such time, except between the hours of one and two of the clock in the morning, as may be specified in such order.

The holder of an order under this section shall not be liable to any penalty for not closing his premises on such

days and during such time as may be specified in such order; but he shall not be exempt from any other penalty under this or any other Act or otherwise.

A notice in such form as may be prescribed by the local authority, stating the days and hours during which the premises are permitted to be open under such order of exemption shall be affixed and kept affixed in a conspicuous position outside the premises; and if the holder of the order of exemption make default in affixing or in keeping affixed such notice in manner aforesaid, during any part of the time for which his exemption is granted, he shall be liable to pay a penalty not exceeding five pounds.

Every person who keeps affixed to his premises any such notice when he does not hold an order under this section, shall be liable to a penalty not exceeding ten pounds.

Any such local authority as aforesaid may at any time, if it seem fit to them, withdraw an order under this section, or alter the same by way of extension or restriction, as such authority may deem necessary or expedient, so however as not to render any person liable to any penalty for anything done under such order before the holder was informed of such withdrawal or alteration.

The following persons and bodies of persons shall be deemed to be local authorities of licensing districts for the purposes of this Act; that is to say,

(1.) In the metropolitan police district, the commissioner of police for the metropolis, subject to the approbation of one of Her Majesty's Principal Secretaries of State:

(2.) In the city of London and the liberties thereof, so far as they are not included in the metropolitan police district, the commissioner of city police, subject to the approbation of the Lord Mayor of the said city:

(3.) In any other place, two justices of the peace in petty sessions assembled.

Intoxicating liquors not to be drunk at refreshment house during the hours when the house would be closed if it were an inn.

27. No intoxicating liquor shall be consumed upon premises licensed as a refreshment house but not for the sale of any intoxicating liquor during the hours during which the same premises would, if they were the licensed premises of licensed victuallers, be closed by law for the sale and consumption of intoxicating liquor.

If any person licensed to keep such refreshment house allows any intoxicating liquor to be consumed on the premises in contravention of this section, he shall be liable for the first offence to a penalty not exceeding ten pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Amendment of law as to refreshment houses.

28. Every refreshment house in respect of which a license is granted for the sale therein by retail of foreign wine, upon which license an abatement of duty has been allowed

under section nine of the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-one, intituled "An Act to amend the "laws relating to the Inland Revenue," shall be closed every night at ten of the clock, and where other licensed premises in the same place are required by or in pursuance of this Act to close at nine o'clock at night, at nine of the cloek; and if any person keeping any such refreshment house as is mentioned in this section sells or exposes for sale in such refreshment house, or opens or keeps open any such refreshment house for the sale of intoxicating liquors during the time that such house is directed to be closed by this section, or during such time as aforesaid allows any intoxicating liquor to be consumed on such premises, he shall for the first offence be liable to a penalty not exceeding ten pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Any conviction for an offence against this section shall be recorded on the license of the person convicted, unless the convicting magistrate or justices shall otherwise direct.

Local authority may grant occasional licenses exempting from provisions relating to closing during certain hours.

29. If any licensed victualler or keeper of a refreshment house in which intoxicating liquors are sold applies to the local authority of a licensing district for a license exempting him from the provisions of this Act relating to closing of premises on any special occasion or occasions, it shall be lawful for such local authority, if in his discretion he thinks fit so to do, to grant to the applicant an occasional license exempting him from the provisions of this Act relating to closing of premises during certain hours, and on the special occasion or occasions to be specified in the license; and no licensed victualler or keeper of a refreshment house to whom an occasional license has been granted under this section shall be subject to any penalty for the contravention of the provisions of this Act relating to the closing of premises during the time to which his occasional license extends, but he shall not be exempted by such occasional license from any penalty to which he may be subject by any other provision of this or any other Act of Parliament.

Repeated Convictions.

Forfeiture of license on repeated convictions.

30. If any licensed person on whose license two convictions for offences committed by him against this Act have been recorded is convicted of any offence which is directed by this Act to be recorded on his license, the following consequences shall ensue; that is to say,

(1.) The license of such licensed person shall be forfeited, and he shall be disqualified for a term of five years from the date of such third conviction from holding any license; and

(2.) The premises in respect of which his license was granted shall, unless the court having cognizance of the case in its discretion thinks fit otherwise to order, be disqualified from receiving any license for a term of two years from the date of such third conviction:

Provided that nothing in this section contained shall prevent the infliction by the court of any pecuniary penalty or any term of imprisonment to which such licensed person would otherwise be liable, or shall preclude the court from exercising any power given by any other section of this Act of disqualifying such licensed person or such premises for a longer period than the term mentioned in this section.

Disqualification of premises.

31. The following additional provisions shall be enacted with respect only to convictions of persons who may hereafter become licensed in respect of premises, and shall not apply to a conviction of any person licensed for any premises at the passing of this Act so long as he is licensed in respect of the same premises; viz.,

1. The second and every subsequent conviction recorded on the license of any one such person shall also be recorded in the register of licenses against the premises:
2. When four convictions (whether of the same or of different licensed persons) have within five years been so recorded against premises, those premises shall during one year be disqualified for the purposes of this Act:
3. If the licenses of two such persons licensed in respect of the same premises are forfeited within any period of two years, the premises shall be disqualified for one year from the date of the last forfeiture:

Provided that where any premises are disqualified under this section notice of such disqualification shall be served upon the owner of the premises in like manner as an order of disqualification is required to be served under this Act, and the regulations for the protection of the owner of premises in case of an order of disqualification shall, so far as the same are applicable, extend to the case of disqualification under this section.

Conviction after five years not to increase penalty.

32. A conviction for any offence under this Act shall not after five years from the date of such conviction be receivable in evidence against any person for the purpose of subjecting him to an increased penalty or to any forfeiture.

Omission to record conviction on license.

33. Where a conviction for an offence is by this Act directed to be recorded on the license of any person, the fact of no such record having been made shall not, if such conviction be otherwise proved to the satisfaction of the court having cognizance of any case under this Act, exempt such person or the premises occupied by him from any penalty to which such person or premises would have been subject if such record had been duly

made. And on such proof being given the omitted conviction may be recorded accordingly, and shall be deemed to have been duly recorded in accordance with this Act.

Penalty for defacing record of conviction on license.

34. If any person defaces or obliterates, or attempts to deface or obliterate, any record of a conviction on his license, he shall be liable to a penalty not exceeding five pounds.

Entry on Premises.

Entry on premises by constables.

35. A constable may at all times enter on any licensed premises, he may also examine every room and part of such premises, and take an account of all intoxicating liquor stored therein.

Any justice of the peace, if satisfied by information on oath that there is reasonable ground to believe that any intoxicating liquor is sold by retail or exposed or kept for sale by retail at any place within his jurisdiction, whether a building or not in which such liquor is not authorised to be sold by retail, may in his discretion grant a warrant under his hand, by virtue whereof it shall be lawful for any constable named in such warrant, at any time or times within one month from the date thereof, to enter, and, if need be, by force, the place named in the warrant, and every part thereof, and examine the same and search for intoxicating liquor therein, and seize and remove any intoxicating liquor found therein, which there is reasonable ground to suppose is in such place for the purpose of unlawful sale at that or any other place, and the vessels containing such liquor.

Every person who, by himself, or by any person in his employ or acting by his direction or with his consent, refuses or fails to admit any constable demanding to enter in pursuance of this section into any premises or place occupied by or under the control of such person, or who having admitted such constable refuses or fails to allow him to take an account of any intoxicating liquor found therein, or to furnish him with such light or assistance as he may require, shall be liable to a penalty not exceeding for the first offence five pounds, and for the second and every subsequent offence ten pounds.

Any conviction for an offence under this section shall, in the case of a licensed person, be recorded on the license of the person convicted.

Registers.

Register of licenses to be kept in licensing district.

36. There shall be kept in every licensing district by the clerk of the licensing justices of that district a register, to be called the register of licenses, in such form as may be prescribed by such justices, containing the particulars of all licenses granted in the district, the premises in respect of which they were granted, the names of the owners of such premises, and the names of the holders for the time being of

such licenses. There shall also be entered on the register all forfeitures of licenses, disqualifications of premises, records of convictions, and other matters relating to the licenses on the register.

Every person applying for a new license, or the renewal of a license, shall state the name of the owner of the premises in respect of which such license is granted or renewed, and such name shall be endorsed on the license, and the person whose name is so stated shall, subject as herein-after mentioned, be deemed for the purposes of this Act to be the owner of the premises.

A court of summary jurisdiction may, on the application of any person who proves to the court that he is entitled to be entered as owner of any premises in place of the person appearing on the register to be the owner, make an order substituting the name of the applicant, and such order shall be obeyed by the clerk of the licensing justices, and a corresponding correction may be directed to be made on the license granted in respect of the premises of which such applicant claims to be the owner.

Any ratepayer, any owner of premises to which a license is attached, and any holder of a license within a licensing district, shall, upon payment of a fee of one shilling, and any officer of police, and any officer of inland revenue in such district, without payment, shall be entitled at any reasonable time to inspect and take copies of or extracts from any register kept in pursuance of this section for such district; and the clerk of the licensing justices and every other person who prevents the inspection or taking copies of or extracts from the same, or demands any unauthorised fee therefor, shall be liable to a penalty not exceeding five pounds for each offence.

The licensing justices may, if they think fit, cause the register kept in pursuance of this section to be divided into parts and assign a part to any portion of the licensing district; and there shall be paid by each licensed person to the clerk in respect of such registration the sum or fee of one shilling for every license granted or renewed.

Amendment of Law as to grant of Licenses.

Licensing committee of justices in counties.

37. In counties a grant of a new license shall not be valid unless it is confirmed by a standing committee of the county justices, in this Act called the county licensing committee.

The justices in quarter sessions assembled for every county shall annually appoint from among themselves for the purposes of this Act a county licensing committee, or they may appoint more than one such committee, and assign to any such committee such area of jurisdiction as they may think expedient.

A county licensing committee shall consist of not less than three nor more than twelve members.

The quorum of a county licensing committee shall be three members.

Any vacancies arising in any such committee from death, resignation, or other causes, may be from time to time filled up by the justices in quarter sessions by whom the committee is appointed.

A county licensing committee shall be deemed to be a standing committee of the quarter sessions by whom they are appointed for the year succeeding their appointment, and their jurisdiction and proceedings shall not be affected by the termination of the sessions at which they were appointed. The members of a committee retiring at the end of the year may be re-appointed; and if from any cause members have not been appointed in any year to succeed the retiring members, such retiring members may continue to act as the committee until their successors are appointed.

The justices in quarter sessions shall make such regulations with respect to the meetings of any such committee and the transaction of business thereat as they may think fit.

The clerk of the peace of the county shall by himself or his deputy be the clerk of the county licensing committee or committees, and shall perform all such duties in relation to any such committee or committees as he is required by law to perform in relation to the justices in quarter sessions assembled.

Provided that so far as respects any new licenses to be granted in any county at any general annual licensing meeting, or any adjournment thereof held between the twentieth of August and the end of September in the year one thousand eight hundred and seventy-two, the justices of such county may, at any adjourned quarter sessions or general sessions (if they think fit to hold a general sessions), at any time before the first day of October one thousand eight hundred and seventy-two, appoint a county licensing committee, but if no such licensing committee be appointed before such date as last aforesaid the justices of the county in quarter sessions assembled shall be deemed to be the county licensing committee for the purpose of any new license granted at such annual licensing meeting; and any such new license, if confirmed by the county licensing committee or by the said justices in quarter sessions, shall be in force from the day of the confirmation thereof until the eleventh day of October one thousand eight hundred and seventy-three.

Licensing committee of justices in boroughs.

38. In boroughs in which at the commencement of the time appointed for the annual appointment of a licensing committee in this section mentioned there are ten justices acting in and for such borough or upwards, new licenses shall be granted by a committee, who shall for the purpose of such new licenses perform all the duties and be subject to the obligations of licensing justices.

In every such borough as aforesaid the justices acting in and for such borough shall annually in the fortnight preceding the commencement of the period during which the general annual licensing meeting for such borough may be held appoint from among themselves for the purposes of this Act a committee of not less than three nor more than seven in number, but no justice shall be appointed a member of such committee unless he is qualified to act under this Act.

Any vacancies arising in such committee (in this Act referred to as the borough licensing committee) from death, resignation, or other causes, may be from time to time filled up by the justices by whom the committee is appointed.

The quorum of a borough licensing committee shall be three members.

The members of the borough licensing committee retiring at the end of the year may be re-appointed; and if from any cause members have not been appointed in any year to succeed the retiring members, such retiring members may continue to act as the borough licensing committee until their successors are appointed.

The grant of a new license by a borough licensing committee shall not be valid unless it is confirmed by the whole body of borough justices, who would, if this Act had not passed, have been authorised to grant licenses, or by a majority of such body present at any meeting assembled for the purpose of confirming such licenses.

In boroughs in which there are not ten justices acting in and for such borough at such time as aforesaid, new licenses shall be granted by the qualified borough justices but the grant of a new license by such justices shall not be valid unless it is confirmed by a joint committee appointed in respect of such borough in manner herein-after mentioned:

A joint committee for any such borough as last aforesaid shall consist of three justices of the county in which such borough is situate and three justices of the borough, but no justice shall be appointed a member of such committee unless he is qualified to act under this Act. The three county justices on a joint committee shall be appointed by the county licensing committee. The same county justices may be appointed members of more than one joint committee under this section. The borough justices on a joint committee shall be appointed by the justices of the borough for which they act, or by the majority of such justices assembled at any meeting held for that purpose. Any casual vacancy arising in the joint committee from death, resignation, or other cause, may from time to time be filled up by the justices by whom the person creating such vacancy was appointed. The quorum of the joint committee shall be five members. The senior magistrate on the joint committee present at

any meeting shall be its chairman; and in the event of an equal division of the committee the chairman shall have a second vote:

Provided that so far as respects any new licenses to be granted in any borough at any general annual licensing meeting, or any adjournment thereof, held between the twentieth of August and the end of September in the year one thousand eight hundred and seventy-two, the following enactments shall take effect:

1. If no licensing committee has been appointed in the county in which a borough is situate for which a joint committee is required to be appointed by this Act, the county members of the joint committee shall be appointed by the justices in quarter sessions assembled, and in any such borough as last aforesaid any new license, if confirmed by the joint committee, shall be in force from the date of the confirmation thereof until the eleventh day of October one thousand eight hundred and seventy-three:
2. All notices and ministerial acts given or done in relation to the grant of such licenses shall be valid, notwithstanding such notices may be given or acts be done before the appointment of a borough licensing committee, and the borough justices may appoint a time at which the borough licensing committee will be prepared to grant new licenses.

No objection shall be made to any licenses granted or confirmed in pursuance of this section on the ground that the justices or committee of justices who granted or confirmed the same were not qualified to make such grant or confirmation.

From and after the passing of this Act, the justices of a county shall not for licensing purposes, save in so far as respects the power of appointing members of a joint committee, have any jurisdiction in a borough in which the borough justices have for such purposes concurrent jurisdiction.

Stipendiary magistrates may act as licensing justices.

39. Beyond the limits of the jurisdiction of the metropolitan police courts a metropolitan police or stipendiary magistrate may act as one of the justices empowered to grant or confirm licenses so far as regards any licensing district wholly or partly within his jurisdiction.

Regulations as to new licenses and transfer of licenses.

40. Every person intending to apply for a new license, or to apply for the transfer of a license, shall publish notice of such application as follows; that is to say,

(1.) In the case of a new license, he shall cause notice thereof to be given and to be affixed and maintained in manner directed by section seven of "The Wine and Beerhouse Act, 1869," and any enactment amending

the same, and shall advertise such notice in some paper circulating in the place in which the premises to which the notice relates are situate, on some day not more than four and not less than two weeks before the proposed application, and on such day or days, if any, as may be from time to time fixed by the licensing justices:

(2.) In the case of the transfer of a license he shall, fourteen days prior to one of the special sessions appointed by the justices for granting transfers of such licenses, serve a notice of his intention to transfer the same upon one of the overseers of the parish, township, or place in which the premises in respect of which his application is to be made are situate, and on the superintendent of police of the district. This notice shall be signed by the applicant or by his authorised agent, and shall set forth the name of the person to whom it is intended that such license shall be transferred, together with the place of his residence, and his trade or calling during the six months preceding the time of serving such notice:

(3.) Any license may be authenticated in manner in which a certificate may be authenticated in pursuance of sub-section two of section four of "The Wine and Beerhouse Act Amendment Act, 1870," and the provisions of the said sub-section shall apply accordingly.

Provided that notwithstanding anything in this Act contained, notices in respect of all applications for new licenses to be granted at any general annual licensing meeting or adjournment thereof held between the twentieth of August and the end of September in the year one thousand eight hundred and seventy-two shall be given as if this Act had not passed. The provisions of this section as to notices shall extend to all cases where, under the Intoxicating Liquors Act, 1828, notices are required to be served in a like form to or in the same manner as notices for new licenses.

Amendment of 5 & 6 Vict. c. 44., with respect to licenses wilfully withheld.

41. Whereas by the second section of the Act of the session of the fifth and sixth years of the reign of Her present Majesty, chapter forty-four, the magistrates or justices in petty sessions are empowered in the event of a license being lost or mislaid to receive a copy of such license, and to deal therewith in manner in the said section mentioned: And whereas it is expedient to extend the power of such magistrates or justices to the reception of a copy of a license in the event of a license being wilfully withheld by the holder thereof: Be it enacted, that such section be construed as if after the words "lost or mislaid," there were inserted the words "or if the application is for the grant of a license, has "been wilfully withheld by the holder thereof."

Provisions as to renewal of licenses.

42. Where a licensed person applies for the renewal of his license the following provisions shall have effect:

(1.) He need not attend in person at the general annual licensing meeting, unless he is required by the licensing justices so to attend:

(2.) The justices shall not entertain any objection to the renewal of such license, or take any evidence with respect to the renewal thereof, unless written notice of an intention to oppose the renewal of such license has been served on such holder not less than seven days before the commencement of the general annual licensing meeting: Provided that the licensing justices may, notwithstanding that no notice has been given, on an objection being made, adjourn the granting of any license to a future day, and require the attendance of the holder of the license on such day, when the case will be heard and the objection considered, as if the notice herein-before prescribed had been given:

(3.) The justices shall not receive any evidence with respect to the renewal of such license which is not given on oath.

Subject as aforesaid, licenses shall be renewed and the powers and discretion of justices relative to such renewal shall be exercised as heretofore.

Confirmation of licenses.

43. Any person who appears before the licensing justices and opposes the grant of a new license, and no other person, may appear and oppose the confirmation of such grant by the confirming authority in counties or boroughs; and the confirming authority may award such costs as they shall deem just to the party who shall succeed in the proceedings before them. In a county the justices in quarter sessions assembled, and in a borough the borough justices, shall make rules as to the proceedings to be adopted for confirmation of new licenses and the costs to be incurred in any such proceedings, and the person by whom such costs are to be paid.

Disqualifications for licenses.

44. No license shall be granted under the Intoxicating Liquor Licensing Acts to any person or in respect of any premises declared by or in pursuance of any of the Intoxicating Liquor Licensing Acts or this Act to be disqualified persons or disqualified premises during the continuance of such disqualification. Any license held by any person so disqualified, or attached to premises so disqualified, shall be void.

Qualification of premises for licenses.

45. Premises to which at the time of the passing of this Act no license under the Acts recited in the Wine and Beer-house Act, 1869, authorising the sale of beer or wine for consumption thereupon is attached, shall not be subject to

any of the provisions now in force prescribing a certain rent or value or rating as a qualification for receiving any such license.

Premises not at the time of the passing of this Act licensed for the sale of any intoxicating liquor for consumption thereupon shall not be qualified to receive a license authorising such sale unless the following conditions are satisfied:

(*a.*) The premises, unless such premises are a railway refreshment room, shall be of not less than the following annual value:

If situated within the city of London or the liberties thereof, or any parish or place subject to the jurisdiction of the Metropolitan Board of Works, or within the four mile radius from Charing Cross, or within the limits of a town containing a population of not less than one hundred thousand inhabitants, fifty pounds per annum; or if the license do not authorise the sale of spirits, thirty pounds per annum:

If situated elsewhere and within the limits of a town containing a population of not less than ten thousand inhabitants, thirty pounds per annum; or if the license do not authorise the sale of spirits, twenty pounds per annum:

If situated elsewhere and not within any such town as above mentioned, fifteen pounds per annum; or if the license do not authorise the sale of spirits, twelve pounds per annum:

(*b.*) The premises shall be, in the opinion of the licensing authority, structurally adapted to the class of license for which a certificate is sought: Provided that no house, not licensed at the time of the passing of this Act for the sale of any intoxicating liquor for consumption on the premises, shall be qualified to have a license attached thereto authorising such sale, unless such house shall contain, exclusive of the rooms occupied by the inmates of such house, if the license authorise the sale of spirits, two rooms, and if the license do not authorise the sale of spirits, one room, for the accommodation of the public.

Annual value necessary for obtaining grant of license.

46. Whereas in certain cases a license under the Wine and Beerhouse Acts, 1869 and 1870, is not to be granted unless the house and premises in respect of which such license is granted are of such rent and value or are rated to the poor rate on a rent or annual value of such amount as is respectively in that behalf stated in the Acts recited in the Wine and Beerhouse Act, 1869; and it is expedient to substitute in such cases "annual value" for the said rent, value, or rating,

and to provide for the ascertaining the annual value of such house and premises: Be it therefore enacted that in cases not provided for by the last preceding section—

A license under the Wine and Beerhouse Acts, 1869 and 1870, shall not be granted in respect of any premises which are not, in the opinion of the licensing justices who grant such license, of such annual value as is mentioned in that behalf in the Acts recited by the Wine and Beerhouse Act, 1869; and those Acts shall be construed as if "annual value" were therein substituted for "rent," "value," "rated on a rent or annual value," and other like expressions.

If at the first general annual licensing meeting after the passing of this Act the licensing justices are of opinion that any premises which are licensed for the sale of intoxicating liquors at the passing of this Act are not of such annual value as authorises the grant of a license for such premises, they may, notwithstanding, renew such license upon the condition, to be expressed in the license, that the holder thereof, before the next general annual licensing meeting, improves the premises so as to make them of sufficient annual value, and if the holder fail to comply with such condition the license shall not be renewed at such next general annual licensing meeting.

Mode of ascertaining annual value.

47. The licensing justices shall take such means as may seem to them best for ascertaining the annual value of any premises for the purposes of this Act, and may, if they think fit, order a valuation to be made of such premises by a competent person appointed by them for the purpose, and may order the costs of such valuation to be paid by the applicant for a license.

The annual value of premises for the purposes of this Act shall be the annual rent which a tenant might be reasonably expected, taking one year with another, to pay for the same, if he undertook to pay all tenant's rates and taxes, and tithe commutation rentcharge (if any), and if the landlord undertook to bear the cost of the repairs and insurance and other expenses (if any) necessary to maintain the premises in a state to command the said rent, and if no license were granted in respect thereof; but no land shall be included in such premises other than any pleasure grounds or flower or kitchen garden, yard, or curtilage usually held and occupied and used by the persons residing in and frequenting the house.

Regulations as to form of licenses.

48. The following regulations shall be made with respect to licenses:

(1.) Every license granted after the commencement of this Act shall be in such form as may from time to time be prescribed by a Secretary of State: Provided that licenses granted at any general annual licensing

meeting or adjournment thereof between the twentieth of August and the end of September one thousand eight hundred and seventy-two shall be in the forms heretofore in use, but any conditions contained in any license so granted which are contrary to the provisions of this Act shall be of no effect:

(2.) A renewal of a license may be made by an endorsement on the license, or by the issue of a copy of the old license, but in the latter case there shall be endorsed on such copy all convictions made within the previous five years which are endorsed on the old license.

The Commissioners of Inland Revenue may alter the form of any license granted by them for the sale of intoxicating liquors, in such manner as they may think expedient, for the purposes of bringing such form into conformity with the law for the time being in force.

Provisions as to six-day licenses.

49. Where on the occasion of an application for a new license or transfer or renewal of a license which authorises the sale of any intoxicating liquor for consumption on the premises, the applicant, at the time of his application, applies to the licensing justices to insert in his license a condition that he shall keep the premises in respect of which such license is or is to be granted closed during the whole of Sunday, the justices shall insert the said condition in such license.

The holder of a license in which such condition is inserted (in this Act referred to as a six-day license) shall keep his premises closed during the whole of Sunday, and the provisions of this Act with respect to the closing of licensed premises during certain hours on Sunday shall apply to the premises in respect of which a six-day license is granted as if the whole of Sunday were mentioned in those provisions instead of certain hours only. The holder of a six-day license may obtain from the Commissioners of Inland Revenue any license granted by such commissioners, which he is entitled to obtain in pursuance of such six-day license, upon payment of six seventh parts of the duty which would otherwise be payable by him for a similar license not limited to six days; and if he sell any intoxicating liquor on Sunday he shall be deemed to be selling intoxicating liquor without a license.

The notice which a licensed person is required to keep painted or fixed on his premises shall, in the case of a license under this section, contain words indicating that such license is for six days only. In calculating the amount to be paid for a six-day license any fraction of a penny shall be disregarded.

Licenses may be removed from one part

50. Licenses may be removed from one part of a licensing district to another part of the same district, or from one

licensing district to another licensing district within the same county, in manner following: of a district to another, &c.

The application for an order sanctioning removal shall be made by the person desiring to be the holder of the license when removed, and shall be made at a general annual licensing meeting, or any adjournment thereof, to the justices authorised to grant new licenses in the licensing district in which the premises are situated to which the license is to be removed.

Notice of the intended application shall be given in the same manner as notice is given of an application for the grant of a new license.

A copy of the notice shall be personally served upon or sent by registered letter to the owner of the premises from which the license is to be removed, and the holder of the license, unless he is also the applicant.

The justices to whom the application is made shall not make an order sanctioning such removal unless they are satisfied that no objection to such removal is made by the owner of the premises to which the license is attached, or by the holder of the license or by any other person whom such justices shall determine to have a right to object to the removal.

Subject as aforesaid, such justices shall have the same power to make an order sanctioning such removal as they have to grant new licenses; but no such order shall be valid unless confirmed by the confirming authority of the licensing district.

Legal Proceedings.

51. Except as in this Act otherwise expressly provided, every offence under this Act may be prosecuted, and every penalty and forfeiture may be recovered and enforced, in manner provided by the Summary Jurisdiction Act, 1848, subject to the following provisions: Summary proceedings for offences under this Act, &c.

(1.) The court of summary jurisdiction, when hearing and determining an information or complaint, other than in a case where the offence charged is that of being found drunk in any highway or other public place, or any licensed premises, shall be constituted either of two or more justices of the peace in petty sessions sitting at a place appointed for holding petty sessions, or of a stipendiary magistrate, or some other officer for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace, and sitting alone or with others at some court or other place appointed for the administration of justice:

(2.) Where the court of summary jurisdiction orders that a distress shall be made in default of payment of any penal sum exceeding five pounds, including under that expression costs actually adjudged in respect of an offence, the court may order that in default of the said sum being paid as directed, the person liable to pay the same shall be imprisoned for any term not exceeding the period specified in the following scale:

For any sum exceeding five pounds but not exceeding ten pounds, three months;

For any sum exceeding ten pounds but not exceeding thirty pounds, four months;

For any sum exceeding thirty pounds but not exceeding fifty pounds, six months;

For any sum exceeding fifty pounds, one year:

(3.) The description of any offence under this Act in the words of such Act, or in similar words, shall be sufficient in law:

(4.) Any exception, exemption, proviso, excuse, or qualification, whether it does or does not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information, and if so specified or negatived, no proof in relation to the matters so specified or negatived shall be required on the part of the informant or complainant; and in all cases of summary proceedings under this Act, the defendant and his wife shall be competent to give evidence:

(5.) All forfeitures shall be sold or otherwise disposed of in such manner as the court may direct, and the proceeds of such sale or disposal (if any) shall be applied in the like manner as penalties, but the court may direct that such proceeds may be applied in the first instance in paying the expenses of and incidental to any search and seizure which resulted in such forfeiture:

(6.) Penalties and forfeitures under this Act shall not, for the purpose of any Act respecting the application of such penalties, or the costs, charges, and expenses attending proceedings for recovery of such penalties or of forfeitures, be deemed to be penalties or forfeitures under any Act relating to the Inland Revenue.

Any officer appointed by the Commissioners of Inland Revenue may sue for any penalties under this Act, and when so sued for any penalties which may be recovered shall be applied in the manner in which excise penalties are for the time being applicable by law.

Where under this Act any sum for costs (other than costs upon a conviction or order of dismissal of an information) or for compensation, or both, is ordered or awarded to be paid by any person, the amount thereof shall be recovered in manner directed by "The Summary Jurisdiction Act, 1848," for the recovery of costs awarded upon the dismissal of an information or complaint.

Appeal to quarter sessions.

52. If any person feels aggrieved by any order or conviction made by a court of summary jurisdiction, the person so aggrieved may appeal therefrom, subject to the conditions and regulations following:

(1.) The appeal shall be made to the next court of quarter sessions for the county or place in which the cause of appeal has arisen, holden not less than fifteen days after the decision of the court from which the appeal is made:

(2.) The appellant shall, within seven days after the cause of appeal has arisen, give notice to the other party and to the court of summary jurisdiction of his intention to appeal, and of the ground thereof:

(3.) The appellant, immediately after such notice, shall enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or shall give such other security by deposit of money or otherwise as the justice may allow:

(4.) Where the appellant is in custody the justice may, if he think fit, on the appellant entering into such recognizance or giving such other security as aforesaid, release him from custody:

(5.) The court of appeal may adjourn the appeal, and upon the hearing thereof may confirm, reverse, or modify the decision of the court of summary jurisdiction, or remit the matter to the court of summary jurisdiction with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just. The court of appeal may also make such order as to costs to be paid by either party as the court thinks just.

Continuance of license during pendency of appeal against justices refusal to renew.

53. Where the justices refuse to renew a license, and an appeal against such refusal is duly made, and such license expires before the appeal is determined, the Commissioners of Inland Revenue may, by order, permit the person whose license is refused to carry on his business during the pendency of the appeal upon such conditions as they think just; and, subject to such conditions, any person so permitted may, during the continuance of such order, carry on his business in the

same manner as if the renewal of the license had not been refused.

Where a license is forfeited on or in pursuance of a conviction for an offence, and an appeal is duly made against such conviction, the court by whom the conviction was made may, by order, grant a temporary license to be in force during the pendency of the appeal upon such conditions as they think just.

Conviction, &c. not to be quashed for want of form, or removed by certiorari.

54. No conviction or order made in pursuance of this Act, originally or on appeal, relative to any offence, penalty, forfeiture, or summary order, shall be quashed for want of form, or, if made by a court of summary jurisdiction be removed by certiorari or otherwise, either at the instance of the Crown, or of any private party into any superior court. Moreover, no warrant of commitment in any such matter shall be held void by reason of any defect therein, provided that there is a valid conviction to maintain such warrant, and it is alleged in the warrant that the party has been convicted.

As to record of convictions of licensed persons for offences under Act.

55. With respect to the record of convictions of licensed persons for offences under this Act committed by them as such, the following provisions shall have effect in cases where this Act requires the conviction to be recorded on the license; that is to say,

(1.) The court before whom any licensed person is accused shall require such person to produce and deliver to the clerk of the court the license under which such person carries on business, and the summons shall state that such production will be required:

(2.) If such person is convicted, the court shall cause the short particulars of such conviction, and the penalty imposed, to be endorsed on his license before it is returned to the offender:

(3.) The clerk to the licensing justices shall enter the particulars respecting such conviction, or such of them as the case may require, in the register of licenses, kept by him under this Act:

(4.) If the clerk to the court be not the clerk to the licensing justices, he shall send forthwith to the last-mentioned clerk notice of such conviction, and of the particulars thereof:

(5.) Where the conviction of any such person has the effect of forfeiting the license, or of disqualifying any person or premises for the purposes of this Act, the license shall be retained by the clerk of the court, and notice of such forfeiture and disqualification shall be sent to the licensing officer of the district, and if the clerk to the court is not the clerk to the licensing justices to such last-mentioned clerk, together with the forfeited license.

56. Where any tenant of any licensed premises is convicted of an offence against this Act, and such offence is one the repetition of which may render the premises liable to be disqualified from receiving a license for any period, it shall be the duty of the clerk of the licensing justices to serve, in manner provided by this Act, notice of every such conviction on the owner of the premises. For protection of owners of licensed premises in cases of offences committed by tenants.

Where any order of a court of summary jurisdiction declaring any licensed premises to be disqualified from receiving a license for any period has been made, the court shall cause such order to be served on the owner of such premises, where the owner is not the occupier, with the addition of a statement that the court will hold a petty sessions at a time and place therein specified, at which the owner may appear and appeal against such order on all or any of the following grounds, but on no other grounds:

(*a.*) That notice, as required by this Act, has not been served on the owner of a prior offence which on repetition renders the premises liable to be disqualified from receiving a license at any period; or

(*b.*) That the tenant by whom the offence was committed held under a contract made prior to the commencement of this Act, and that the owner could not legally have evicted the tenant in the interval between the commission of the offence, in respect of which the disqualifying order was made, and the receipt by him of the notice of the immediately preceding offence which on repetition renders the premises liable to be disqualified from receiving a license at any period; or

(*c.*) That the offence in respect of which the disqualifying order was made occurred so soon after the receipt of such last-mentioned notice that the owner, notwithstanding he had legal power to evict the tenant, could not with reasonable diligence have exercised that power in the interval which occurred between the said notice and the second offence.

If the owner appear at the time and place specified, and at such sessions, or any adjournment thereof, satisfy the court that he is entitled to have the order cancelled on any of the grounds aforesaid, the court shall thereupon direct such order to be cancelled, and the same shall be void.

In a county the justices in quarter sessions assembled, and in a borough the borough justices, shall make rules in pursuance of which any person other than the owner interested in any licensed premises as mortgagee or otherwise shall be entitled on payment of such sum as may be specified in such rules to receive from the clerk to the licensing justices a similar notice to that which an owner of such premises is entitled to receive under this Act.

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As to conviction of licensed persons of more than one offence on same day.

57. Where a licensed person is convicted of more offences than one committed on the same day, the convictions for which are by this Act directed to be recorded on his license, the court by whom he is convicted may, in their discretion, order that one or some only of such convictions shall be so recorded.

Evidence of endorsements and register.

58. The registers of licenses kept in pursuance of this Act shall be receivable in evidence of the matters required by this Act to be entered therein. Every endorsement upon a license, and every copy of an entry made in the registers of licenses in pursuance of this Act, purporting to be signed by the clerk to the licensing justices and (in the case of a copy) to be certified to be a true copy, shall be evidence of the matters stated in such endorsement and entry, without proof of the signature or authority of the person signing the same.

Saving for indictments, &c. under other Acts.

59. Nothing in this Act shall prevent any person from being liable to be indicted or punished under any other Act, or otherwise, so that he be not punished twice for the same offence.

Miscellaneous.

Disqualification of justices to act under this Act.

60. No justice shall act for any purpose under this Act, or under any of the Intoxicating Liquor Licensing Acts, except in cases where the offence charged is that of being found drunk in any highway or other public place, whether a building or not, or on any licensed premises, or of being guilty while drunk of riotous or disorderly conduct, or of being drunk while in charge, on any highway or other public place, of any carriage, horse, cattle, or steam engine, or of being drunk when in possession of loaded fire-arms, who is or is in partnership with or holds any share in any company which is a common brewer, distiller, maker of malt for sale, or retailer of malt or of any intoxicating liquor in the licensing district or in the district or districts adjoining to that in which such justice usually acts; and no justice shall act for any purpose under this Act, or under any of the Intoxicating Liquor Acts, in respect of any premises in the profits to which such justice is interested, or of which he is wholly or partly the owner, lessee, or occupier, or for the owner, lessee, or occupier of which he is manager or agent.

Any justice hereby declared not to be qualified to act under this Act who knowingly acts as a justice for any of the purposes of this Act shall for every such offence be liable to a penalty not exceeding one hundred pounds, to be recovered by action in one of Her Majesty's Superior Courts at Westminster:

Provided that—

(1.) No justice shall be disqualified under this section to act in respect of any premises by reason of his having vested in him a legal interest only, and not a beneficial interest, in such premises or the profits thereof:

(2.) No justice shall be liable to a penalty for more than one offence committed by him under this section before the institution of any proceedings for the recovery of such penalty:

(3.) No act done by any justice disqualified by this section shall by reason only of such disqualification be invalid.

Extension of jurisdiction of justices over river or water, &c.

61. For all the purposes of this Act any pier, quay, jetty, mole, or work extending from any place within the jurisdiction of any licensing justices or court of summary jurisdiction into or over any part of the sea, or any part of a river within the ebb and flow of the tide, shall be deemed to be within the jurisdiction of such justices and court.

For the purpose of jurisdiction in any proceeding under this Act, any river or water which runs between or forms the boundary of two or more licensing districts, or of the jurisdiction of two or more courts of summary jurisdiction, shall be deemed to be wholly within each such licensing district and the jurisdiction of each of such courts.

Evidence of sale or consumption of intoxicating liquor.

62. In proving the sale or consumption of intoxicating liquor for the purpose of any proceeding relative to any offence under this Act, it shall not be necessary to show that any money actually passed or any intoxicating liquor was actually consumed, if the court hearing the case be satisfied that a transaction in the nature of a sale actually took place, or that any consumption of intoxicating liquor was about to take place; and proof of consumption or intended consumption of intoxicating liquor on premises to which a license under this Act is attached, by some person other than the occupier of or a servant in such premises, shall be evidence that such liquor was sold to the person consuming, or being about to consume, or carrying away the same by or on behalf of the holder of such license.

Avoidance of excise license on forfeiture of license.

63. Where a license is forfeited in pursuance of this Act, or becomes void under any of the provisions of this Act, any license for the sale of intoxicating liquors granted by the Commissioners of Inland Revenue to the holder of such license shall be void.

Production of license by holder, and penalty on non-production.

64. Every holder of a license, or of an order of exemption made by a local authority in pursuance of this Act, shall, by himself, his agent, or servant, produce such license or order within a reasonable time after the production thereof is demanded by a justice of the peace, constable, or officer of inland revenue, and deliver the same to be read and examined by him. Any person who acts in contravention of this section shall be liable to a penalty not exceeding ten pounds.

Population to be according to last census.

65. The population of any area for the purposes of this Act shall be ascertained according to the last published census for the time being.

Moiety of penalties may be awarded to police superannuation fund.

66. Any part not exceeding a moiety of any penalty recovered under this Act may, if the Court shall so direct, be paid to the superannuation fund of the police establishment within whose jurisdiction the offence in respect of which such penalties are imposed shall have occurred.

Limit of mitigation of penalties.

67. When any person holding a license under this Act is convicted of any offence against this Act, or against any of the Acts recited or mentioned in this Act, it shall not be lawful for the justices before whom he is convicted to mitigate or reduce the penalty for such offence to a less sum than twenty shillings: Provided that nothing herein contained shall extend to authorise the mitigation or reduction of any penalty, whether of excise or police, to a less sum than the minimum to which the same may under the provisions of any other Acts be mitigated or reduced.

Regulations as to retail licenses of wholesale dealers.

68. No person shall sell by retail liqueurs or spirits under the authority of any retail license which such person shall have obtained as a wholesale spirit dealer from the Commissioners of Inland Revenue, except in premises occupied and used exclusively for the sale therein of intoxicating liquor, and which premises have no communication with the premises of, nor are in any way occupied by a person who is carrying on any other trade or business, unless such person shall have first obtained from the licensing justices a license authorising such sale in premises not exclusively so occupied and used.

Licenses for sale of liqueurs, &c. by retail not to be consumed on the premises.

69. A license for the sale of liqueurs or spirits by retail not to be consumed on the premises may, where such license is required by this Act, be granted in the same manner in all respects in which a license for selling wine not to be consumed on the premises may by law be granted, and an application for such a license shall not be refused except upon one or more of the grounds on which a certificate in respect of a license to sell by retail beer, cider, or wine not to be consumed on the premises may be refused: Provided that in respect of any such license for liqueurs or spirits to be granted at any general annual licensing meeting, or adjournment thereof, held between the twentieth of August and the end of September in the year one thousand eight hundred and seventy-two, such notices only shall be required to be given, not exceeding seven days notice, as may be prescribed by the licensing justices.

Provided also, that nothing in this Act contained as to the requirement of a justice's license shall affect the sale of liqueurs or spirits or sweets under any excise license granted before the passing of this Act during the continuance of such excise license.

Notices may be served by post.

70. All notices and documents required by this Act to be served or sent may, unless otherwise expressly provided, be

served and sent by post, and, until the contrary is proved, shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending it shall be sufficient to prove that the letter containing the notice or document was prepaid, and properly addressed.

Where any officer or other person interested in any licensed premises is entitled to receive notice of a conviction under this Act, he shall supply his address to the clerk or other person required to send such notice, and any notice sent to such address shall be deemed to be duly served; and where no notice is supplied in pursuance of this section, all notices shall be deemed to be duly served if sent to any address which such clerk or other person in the exercise of his discretion believes to be the address of the person to whom the notice was so sent.

Provided that any notice of any offence required by this Act to be sent to the owner of licensed premises shall be either served personally or sent by registered letter.

71. The schedules to this Act shall be construed and have effect as part of this Act. **Schedules to be part of Act.**

Saving Clauses.

72. Nothing in this Act shall affect or apply to— **Saving of certain privileges, rights, &c.**

1. The privileges at the date of the passing of this Act enjoyed by any university in England, or the respective chancellors or scholars of the same, or their successors:
2. The privileges at the date of the passing of this Act enjoyed by the mayor or burgesses of the borough of St. Alban's in the county of Hertford, or their successors, or the exemption from the obligation to take out a license as defined by this Act, or a license from the Commissioners of Inland Revenue enjoyed by the company of the master, wardens, and commonalty of vintners of the city of London:
3. The sale of spruce or black beer:
4. The sale of intoxicating liquor by proprietors of theatres, in pursuance of the Acts in that behalf:
5. The sale of intoxicating liquor in packet boats, in pursuance of the Acts in that behalf:
6. The sale of intoxicating liquor on special occasions in pursuance of the provisions in that behalf enacted:
7. The sale of spirits in canteens, in pursuance of any Act regulating the same:
8. The sale of medicated or methylated spirits, or spirits made up in medicine and sold by medical practitioners or chemists and druggists:
9. The sale of intoxicating liquor by wholesale:

10. Any penalties recoverable by or on behalf of the Commissioners of Inland Revenue, or any laws relating to the Excise.

License as defined by this Act not required for certain retail sales.

73. A license as defined by this Act shall not be required for—

1. The sale of wine by retail, not to be consumed on the premises, by a wine merchant in pursuance of a wine dealer's license granted by the Commissioners of Inland Revenue; or
2. The sale of liqueurs or spirits by retail, not to be consumed on the premises, by a wholesale spirit dealer whose premises are exclusively used for the sale of intoxicating liquors, in pursuance of a retail license granted by the Commissioners of Inland Revenue, under the provisions of the twenty-fourth and twenty-fifth of Her present Majesty, chapter twenty-one, intituled "An Act for granting to Her Majesty certain "duties of excise and stamps."

Definitions.

Interpretation of terms, &c.

74. In this Act, if not inconsistent with the context, the following expressions have the meanings herein-after respectively assigned to them; that is to say,

"Intoxicating Liquor Licensing Act, 1828," means the Act of the ninth year of the reign of King George the Fourth, chapter sixty-one, intituled "An Act to regulate "granting of licenses to keepers of inns, alehouses, "and victualling houses in England," and includes the Acts amending the same:

"Wine and Beerhouse Acts" means the Wine and Beerhouse Act, 1869, and the Wine and Beerhouse Act Amendment Act, 1870:

"Intoxicating Liquors Licensing Acts" means the Intoxicating Liquor Licensing Act, 1828, and the Wine and Beerhouse Acts:

"Intoxicating liquor," means spirits, wine, beer, porter, cider, perry, and sweets, and any fermented, distilled, or spirituous liquor which cannot, according to any law for the time being in force, be legally sold without a license from the Commissioners of Inland Revenue:

"License" means a license for the sale of intoxicating liquors granted by justices in pursuance of the Intoxicating Liquor Licensing Act, 1828, including a certificate of justices granted under the Wine and Beerhouse Acts, and including a license for the sale of sweets which is hereby authorised to be granted in the same manner as if sweets were wine, and including a license for the retail of spirits granted to a wholesale spirit dealer by the justices in pursuance of this Act:

"A new license" means a license granted at a general annual licensing meeting in respect of premises not theretofore licensed for the sale of intoxicating liquors:

"The renewal of a license" means a license granted at a general annual licensing meeting by way of renewal:

"The transfer of a license" means a transfer made in special sessions in exercise of the power granted to justices by the fourth section of the said Act of the ninth year of the reign of King George the Fourth, chapter sixty-one, intituled "An Act to regulate granting of licenses to "keepers of inns, alehouses, and victualling houses in "England:"

"Licensed person" means a person holding a license as defined by this Act:

"Licensed premises" means premises in respect of which a license as defined by this Act has been granted and is in force:

"Unlicensed premises" means premises in respect of which a license as defined by this Act has not been granted or is not in force:

"Owner of licensed premises" means the person for the time being entitled to receive, either on his own account or as mortgagee or other incumbrancer in possession, the rackrent of such premises:

"Licensing district" means the area for which a general annual licensing meeting is held in pursuance of the Intoxicating Liquor Licensing Act, 1828:

"Licensing justices" means the justices having jurisdiction in respect of the grant of new licenses in a licensing district under the last-mentioned Act as amended by this Act:

"Licensing officer" means any officer appointed by the Commissioners of Inland Revenue to issue or superintend the issue of licenses under this Act in any place:

"Sale by retail" in respect of any intoxicating liquor means the sale of that liquor in such quantities as is declared to be sale by retail by any Acts relating to the sale of intoxicating liquors:

"County" does not include a county of a city or a county of a town, but means any county, riding, parts, division or liberty of a county having a separate commission of the peace and a separate court of quarter sessions:

"Borough" means a county of a city, county of a town, city, municipal borough, cinque port and its liberties, town corporate or other place in which a general annual licensing meeting is held in pursuance of the Intoxicating Liquors (Licensing) Act, 1828, exclusive of a petty sessional division of a county:

Where a liberty of a county, as defined by this Act, is not divided into petty sessional divisions, such liberty shall,

so far as respects the provisions of this Act with respect to the grant of new licenses, stand in the same position as if it were a petty sessional division of the county in which it is geographically situate or with which it has the longest common boundary:

"Clerk of the licensing justices" means, where the licensing district is a county or a petty sessional division of a county, the clerk of the petty sessions for such division; and where the licensing district is a county of a city, county of town, city, municipal borough, town corporate, or other place not a county or a petty sessional division of a county, means the clerk to the justices of such county of a city, county of a town, city, borough, town corporate, or place, or other person performing analogous duties to such clerk; and where there are more persons than one in any county, petty sessional division, or other place filling the office of clerk of the licensing justices as herein-before defined, the licensing justices shall determine by which of such persons the register of licenses shall be kept:

"Town" means any parliamentary or municipal borough, Improvement Act district, local government district, or other place having a known legal boundary, and wherever two or more of the above-mentioned places occupy portions of the same area, "town" shall be taken to mean such one of such places as is the largest in area; and any premises situate in more than one town shall, for the purposes of this Act, be deemed to be in such one of the towns as is the largest in area:

"Local government district" means any area subject to the jurisdiction of a local board constituted in pursuance of the Local Government Act, 1858:

"Improvement Act district" means any area for the time being subject to the jurisdiction of any commissioners, trustees, or other persons intrusted by any Local Act, not being a Turnpike Act or Highway Act, with powers of improving, cleansing, or paving any part of such district:

"Court of summary jurisdiction" means any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the "duties of justices of the peace out of sessions within "England and Wales with respect to summary con-"victions and orders," in this Act referred to as "The "Summary Jurisdiction Act, 1848," and any Acts amending the same:

"Quarter sessions" includes general sessions:

"Police district" means,—

1. The city of London and the liberties thereof;
2. The Metropolitan Police District;
3. Any county, riding, part, division, or liberty of a county, borough, city, town, place, or union or combination of places maintaining a separate police force; and all the police under one chief constable shall be deemed to constitute one force for the purposes of this definition:

"Police authority" means,—

1. In the city of London and the liberties thereof, the commissioner of city police;
2. In the Metropolitan Police District, the commissioner of police of the metropolis;
3. Elsewhere, the chief constable, or head constable, or other officer, by whatever name called, having the chief command of the police in the police district in reference to which such expression occurs:

Any act or thing by this Act authorised to be done by the police authority may be done by any person authorised by him in that behalf:

"Secretary of State" means one of Her Majesty's Principal Secretaries of State.

Repeal.

75. The several Acts set forth in the second schedule hereto shall be repealed to the extent to which such Acts are therein expressed to be repealed, and in particular there shall be repealed so much of the Wine and Beerhouses Acts as makes such Acts temporary in their duration, and the said Acts shall henceforth be perpetual. Repeal of Acts mentioned in second schedule.

Provided that the repeal enacted in this Act shall not affect—

(1.) Any security given before this Act comes into operation:

(2.) Anything duly done before this Act comes into operation:

(3.) Any right acquired or liability accrued before this Act comes into operation:

(4.) Any removal of a license or certificate in pursuance of the second section of "Intoxicating Liquor Licensing Suspension Act, 1871:"

(5.) Any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before this Act comes into operation:

(6.) The institution of any legal proceeding or any other remedy for ascertaining, enforcing, or recovering any such liability, penalty, forfeiture, or punishment as aforesaid.

Provided also, that in the case of persons intending to apply for billiard licenses under the Act of the eighth and ninth years

of the reign of Her present Majesty, chapter one hundred and nine, intituled "An Act to amend the law concerning games "and wagers," or for the transfer of such licenses, the same notices shall be given as are by this Act required in the case of licenses as defined by this Act, or as near thereto as circumstances admit; and any person convicted of an offence against the tenor of a billiard license, or of any offence declared by the last-mentioned Act to be an offence against the tenor of a license as defined by this Act, shall be punished under this Act in the same manner in all respects as a licensed person within the meaning of this Act is punishable under this Act for suffering any gaming or any unlawful game to be carried on on his premises; and in construing the last-mentioned Act any reference to the Intoxicating Liquor Licensing Act, 1828, shall be construed to refer to that Act as amended by this Act.

Application of certain of the preceding Provisions of this Act to Ireland.

Mode of reference to particular provisions of Act.

76. A reference to the words forming a heading to any of the provisions of this Act shall be deemed to be a reference to all the provisions under such heading, unless otherwise specially provided.

Application to Ireland of certain provisions of the Act with modifications.

77. The preceding provisions of this Act with respect to—

1. Illicit sales;
2. Offences against public order;
3. Adulteration;
4. Repeated convictions;
5. Entry on premises;
6. Six day licenses;
7. Legal proceedings;
8. Miscellaneous; and
9. Saving clauses,

shall extend to Ireland, with the modifications following:—

"Intoxicating liquor" shall mean spirits, wine, beer, porter, cyder, perry, and sweets, and any fermented, distilled, or spirituous liquor which cannot, according to any law for the time being in force, be legally sold without a license from the Commissioners of Inland Revenue:

"License" shall mean a certificate of justices under the provisions of the Act passed in the session of Parliament held in the third and fourth years of the reign of His late Majesty King William the Fourth, chapter sixty-eight, or of the Act passed in the session of Parliament held in the seventeenth and eighteenth years of the reign of Her present Majesty, chapter eighty-nine, and any Act amending the same, and shall include a certificate under "The Beerhouses (Ireland) Act, 1864," as amended by "The Beerhouses (Ireland) Act, 1864, Amendment Act, 1871," and any Act amending the same:

"Intoxicating Liquor Licensing Acts" shall include the Acts authorising the grant of a license as defined by this section, and of an excise license as herein-after in this Act defined, and any Act or Acts amending the same:

"Licensing justices" shall mean the justices or authority having jurisdiction in respect of the grant of a license as defined by this section:

"Licensed person" shall mean a person holding a license as defined in this section, which license is in force:

"Premises" shall include house or place as defined by section twelve of the Act passed in the session of Parliament held in the seventeenth and eighteenth years of the reign of Her present Majesty, chapter eighty-nine:

"Licensed premises" shall mean premises in respect of which a license as defined by this section has been granted and is in force:

"Unlicensed premises" shall mean premises in respect of which a license as defined by this section has not been granted or is not in force:

"Sale by retail" in respect of any intoxicating liquor means the sale of that liquor in such quantity as is declared to be sale by retail by any Acts relating to the sale of intoxicating liquors:

"Owner of licensed premises" shall mean the person for the time being entitled to receive on his own account, either as mortgagee or other incumbrancer, in possession of the rackrent of such premises:

"Order in Council" or "Order of Her Majesty in Council" shall mean any order made by the Lord Lieutenant of Ireland or the lords justices or other chief governor or governors of Ireland for the time being, by and with the advice of Her Majesty's Privy Council in Ireland:

The powers which may be exercised by Her Majesty may be exercised as to Ireland by the Lord Lieutenant or the lords justices or other chief governor or governors of Ireland for the time being:

The term "Dublin Gazette" shall be substituted for the term "London Gazette:"

The term "county" shall extend to and include county of a city, county of a town, county of a town and city, city, and county:

The term "register of licenses," except in the police district of Dublin metropolis, shall mean the list or register directed to be kept by section eleven of the Act passed in the session of Parliament held in the third and fourth years of the reign of His late Majesty King William the Fourth, chapter sixty-eight; and in the police district of Dublin metropolis a list or register to be formed by such person as may be directed by the chief

magistrate of the said district in like manner in every respect, and containing the like particulars in relation to the said district and the persons licensed therein, as the list or register directed to be kept elsewhere by the said section of the said Act; and all the provisions of the said section shall, so far as the same are applicable, apply to such list or register within the said district, and the same shall be kept at the head police office of such district:

The term "clerk to the licensing justices" in relation to the police district of Dublin metropolis shall mean the person who keeps the register of licenses in such district, and elsewhere in any county or borough shall mean the clerk of the peace for such county or borough:

The term "police authority" shall mean,—

In the police district of Dublin metropolis either of the commissioners of police for the said district, and

Elsewhere in Ireland, in any other police district, the sub-inspector of the Royal Irish Constabulary:

The term "superintendent of police" shall mean,—

In the police district of Dublin metropolis any superintendent, inspector, acting inspector, or serjeant of Dublin metropolitan police, and

Elsewhere in Ireland, in any other police district, any sub-inspector or head constable of the Royal Irish Constabulary:

The term "constable"—

In the police district of Dublin metropolis shall mean constable of the Dublin metropolitan police, and

Elsewhere in Ireland, any constable or sub-constable of the Royal Irish Constabulary:

The term "special session" shall mean "petty sessions:"

The term "Summary Jurisdiction Act, 1848," shall mean, as regards the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, and elsewhere in Ireland the Act passed in the session holden in the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, intituled "An Act to "consolidate and amend the Acts regulating the pro- "ceedings of petty sessions, and the duties of justices "of the peace out of quarter sessions, in Ireland," and any Acts amending the same:

The term "court of summary jurisdiction" shall mean any justice or justices of the peace or other magistrate to whom jurisdiction is given by the Summary Jurisdiction Act, 1848; and when hearing and determining any information or complaint under this Act, the said court shall be constituted in manner prescribed by the said first-mentioned Act:

The expression "court of quarter sessions for the county or place in which the cause of appeal has arisen" shall mean the court of quarter sessions of the division of the county or the court of the recorder of the borough (if there be a recorder in such borough) in which the cause of appeal has arisen, and if the cause of appeal has arisen within the police district of Dublin metropolis the court of the recorder of the city of Dublin:

The term "one of Her Majesty's Superior Courts at Dublin" shall be substituted for the term "one of Her Majesty's Superior Courts at Westminster."

Provided always, that a license, as defined by this section, shall not be required for the sale of intoxicating liquor by retail in pursuance of a retail license granted by the Commissioners of Inland Revenue, in any case which, previous to the passing of this Act, such first-mentioned license was not required.

Closing of premises at certain hours on Sunday, Christmas Day, Good Friday, &c.

78. Notwithstanding the provisions of section forty-three of the Act passed in the session of Parliament held in the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and seven, it shall not be lawful for any person to sell or expose for sale, or to open or to keep open any premises for the sale of, intoxicating liquors on Sunday, Christmas Day, Good Friday, or any day appointed for a public fast or thanksgiving after nine o'clock at night within any city or town the population of which according to the last parliamentary census shall exceed five thousand, nor elsewhere after seven o'clock at night on such days, and on other days after ten o'clock at night.

The provisions of all Acts relating to the sale of intoxicating liquors by retail, authorising or forbidding the doing of any act, matter, or thing at any times during which the sale of intoxicating liquors is by the said Acts prohibited, shall be construed as if the times during which the sale of intoxicating liquors is prohibited by this section were substituted respectively in the said Acts for the times therein mentioned.

Any person who sells or exposes for sale, or opens or keeps open any premises for the sale of, intoxicating liquors at any other times than those limited for such purpose by section forty-three of the Act passed in the session of Parliament held in the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and seven, as the same is amended by this section, or during such times as aforesaid allows any intoxicating liquors to be consumed on such premises, shall for the first offence be liable to a penalty not exceeding ten pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Any conviction for an offence against this section shall be recorded on the license of the person convicted, unless the convicting magistrate or justices shall otherwise direct.

None of the provisions contained in this section shall preclude a person licensed to sell any intoxicating liquor to be consumed on the premises from selling such liquor to bonâ fide travellers or to persons lodging in his house.

Nothing in this section contained shall preclude the sale at any time at a railway station of intoxicating liquors to persons arriving at or departing from such station by railroad.

Recovery and application of penalties.

79. All penalties and forfeitures in respect of offences under the preceding provisions of this Act, as applied to Ireland, shall be in substitution for and not in addition to penalties and forfeitures (other than penalties recoverable by or on behalf of the Commissioners of Inland Revenue, or any laws relating to the Excise) incurred in respect of like offences under any other Act or Acts, and all penalties recovered under the said provisions of this Act shall be applied in manner directed by "The Fines Act (Ireland), 1851," and any Act amending the same.

Repeal of section 4 of 34 & 35 Vict. c. 88.

80. Section four of "The Intoxicating Liquors (Licenses Suspension) Act, 1871," shall be and the same is hereby repealed.

Interpretation of "spirit grocer," "excise license," &c. as applying to Ireland.

81. The following provisions shall apply to Ireland only:

The term "spirit grocer" in the following provisions of this Act means any person dealing in or selling tea, cocoa-nuts, chocolate, or pepper, and having an excise license to sell spirits by retail in any quantity not exceeding two quarts at any one time to be consumed elsewhere than on the premises where sold, under the provisions of the Act passed in the session of Parliament held in the eighth and ninth years of the reign of Her present Majesty, chapter sixty-four, which license is in the following provisions referred to as an "excise license," and, save as aforesaid, terms used in the following provisions of this Act shall have the same meanings respectively as they have in the preceding provisions of this Act as applied to Ireland.

No renewal of license to be granted to spirit grocers without certificate of justices.

82. It shall not be lawful for any officer of Excise in Ireland to grant a new excise license to any person who at any time during the then next preceding two years has been a spirit grocer, or who during such period as aforesaid has held a certificate under "The Beerhouses (Ireland) Act, 1864," or "The Beerhouses (Ireland) Act (1864) Amendment Act, 1871," or to grant to any spirit grocer upon the expiration of his excise license a renewal of such excise license, unless such person or spirit grocer produces a certificate signed by two or more justices of the peace presiding at the petty sessions of the district in which such person or spirit grocer resides, or if in the Dublin metropolitan police district by a divisional justice of the district in which such person or spirit grocer resides, to the good character of such person, and to the peaceable and

orderly manner in which his business was conducted during the year next preceding the expiration of his former excise license or certificate, or, in case of a renewal, during the past year.

All applications for such certificates shall be made in the manner and subject to the like conditions as to appeals against the same and otherwise (so far as the same are applicable) as are prescribed by "The Beerhouses (Ireland) Act, 1864," in relation to applications for certificates under the said Act.

Penalty on spirit grocer if liquor drunk on or near to the premises.

83. If any purchaser of any intoxicating liquor from a spirit grocer drinks such liquor on the premises where the same is sold, or on any highway adjoining or near such premises, such spirit grocer shall, if it shall appear that such drinking was with his privity or consent, be subject to the following penalties; (that is to say,)

For the first offence he shall be liable to a penalty not exceeding ten pounds:

For the second and any subsequent offence he shall be liable to a penalty not exceeding twenty pounds:

For the purposes of this section the expression "premises where the same is sold," shall include any premises adjoining or near the premises where the liquor is sold, if belonging to such spirit grocer, or under his control, or used by his permission.

Any conviction for an offence under this section shall be recorded on the excise license of the spirit grocer convicted.

Penalty on evasion of law as to drinking on premises of spirit grocer.

84. If any spirit grocer himself takes or carries, or employs or suffers any other person to take or carry, any intoxicating liquor out of or from the premises of such spirit grocer for the purpose of being sold on his account, or for his benefit or profit, and of being drunk or consumed in any other house, or in any tent, shed, or other building of any kind whatever belonging to such spirit grocer, or hired, used, or occupied by him, or on or in any place, whether enclosed or not, and whether or not a public thoroughfare, such intoxicating liquor shall be deemed to have been consumed by the purchasers thereof on the premises of such spirit grocer, with his privity and consent; and such spirit grocer shall be punished accordingly in manner provided by the next preceding section.

Any conviction for an offence under this section shall be recorded on the excise license of the spirit grocer convicted.

In any proceeding under this section it shall not be necessary to prove that the premises or place or places to which such liquor is taken to be drunk belonged to, or were hired, used, or occupied by, such spirit grocer, if proof be given to the satisfaction of the court hearing the case that such liquor was taken to be consumed thereon or therein with intent to evade the conditions of his excise license.

Penalty on internal communication between premises of spirit grocer and house of public resort.

85. Every person who makes or uses, or allows to be made or used, any internal communication between the premises of any spirit grocer and any other premises which are used for public entertainment or resort, or as a refreshment house, shall be liable to a penalty not exceeding ten pounds for every day during which such communication remains open.

In addition to any penalty imposed by this section, any person convicted of an offence under this section shall, if he be the holder of an excise license, forfeit such license.

Limitation of hours during which spirit grocers may sell intoxicating liquors.

86. No spirit grocer shall have or keep his premises open, nor shall he sell any intoxicating liquor in any such premises at any other times than those limited for the sale of intoxicating liquors by retail to be drunk or consumed on the premises by section forty-three of the Act passed in the session of Parliament held in the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and seven, as the same is amended by this Act, and any spirit grocer acting in contravention of the provisions of this section shall be liable to all and the same penalties and consequences to which under the preceding provisions of this Act any person who sells or exposes for sale, or opens or keeps open any premises for the sale of intoxicating liquors at any other time than those limited by the said section forty-three of the said Act, as the same is amended by this Act, is liable.

Justices and constables may enter premises of spirit grocer during prohibited hours.

87. It shall be lawful for any justice of the peace, or any superintendent of police, or any constable duly authorised for such purpose by any such justice or superintendent within the limits of his jurisdiction, to enter into any premises kept by a spirit grocer for selling intoxicating liquors, at any time or hour during which the sale of such liquors by such spirit grocer is prohibited by this Act, and to remove from and put out of such premises any person who shall be so found within such prohibited hours in such house or place (not being a lodger in or an inmate of such premises), and who shall appear to be or to have recently been drinking, tippling, or gaming therein; and if any such person shall not, when thereto required by such justice of the peace, superintendent of police, or constable, remove from and quit such premises, or shall forcibly resist such justice, superintendent, or constable, or shall be found drunk therein, it shall and may be lawful for any superintendent of police or for any constable to apprehend and take into custody any such person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such person so apprehended before any justice of the peace within whose jurisdiction such premises shall be situate, to be dealt with according to law; and every such person who shall so neglect or refuse to remove from or quit such premises, or shall so forcibly resist such justice, super-

intendent, or constable, being duly convicted of such offence, shall thereupon for every such offence forfeit any sum not exceeding twenty shillings nor less than five shillings; and if any offender so convicted shall not forthwith pay the sum so forfeited, such offender shall be imprisoned for any time not exceeding one week.

Provisions as to repeated convictions to apply to spirit grocers, &c.

88. The preceding provisions of this Act relating to repeated convictions, except so much thereof as relate to the disqualification of premises, shall apply to spirit grocers, and for the purpose of such application the terms "spirit grocer" and "excise license" shall respectively be therein substituted for the terms licensed person and license.

Application of provisions as to legal proceedings, penalties, &c.

89. The preceding provisions of this Act relating to legal proceedings as the same are applied to Ireland, and to the application of penalties in Ireland, shall apply to all legal proceedings in respect of any of the special provisions of this Act relating to Ireland, and to the application of all penalties recovered in pursuance thereof.

No license to be granted to disqualified persons or for disqualified premises.

90. In Ireland no license or excise license, as respectively defined in the preceding provisions of this Act in relation to Ireland, shall be granted under the Intoxicating Liquor Licensing Acts to any person or in respect of any premises declared by or in pursuance of any of the Intoxicating Liquor Licensing Acts or this Act to be disqualified persons or disqualified premises during the continuance of such disqualification. Any license or excise license held by any person so disqualified or attached to premises so disqualified shall be void.

SCHEDULES to which this Act refers.

FIRST SCHEDULE.

DELETERIOUS INGREDIENTS.

Cocculus indicus, chloride of sodium otherwise common salt, copperas, opium, Indian hemp, strychnine, tobacco, darnel seed, extract of logwood, salts of zinc or lead, alum, and any extract or compound of any of the above ingredients.

SECOND SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
21 James 1. c. 7.	An Act for the better repressing of drunkenness, and restraining the inordinate haunting of inns, alehouses, and other victualling houses.	So much as is unrepealed.

Session and Chapter.	Title.	Extent of Repeal.
9 Geo. 4. c. 61. -	An Act to regulate the granting of licenses to keepers of inns, alehouses, and victualling houses in England.	Section six; section ten; section eleven; so much of section thirteen as relates to the form of license; sections eighteen and nineteen; section twenty; section twenty-one; section twenty-two; section twenty-three; section twenty-five; section twenty-six; also section twenty-seven; section twenty-eight; section twenty-nine, except in so far as the three last-mentioned sections relate to the renewal of licenses or to the transfer of licenses under sections four and fourteen of the same Act; also section thirty-one; section thirty-two; section thirty-three; section thirty-four.
11 Geo. 4. & 1 W. 4. c. 64.	An Act to permit the general sale of beer and cyder by retail in England.	Section six; section eleven; section twelve; section thirteen; section fifteen; section sixteen; section seventeen; section eighteen; section nineteen; section twenty; section twenty-one; section twenty-two; section twenty-five; section twenty-six; section twenty-seven; so much of section thirty as incorporates or applies any repealed enactment.
4 & 5 Will. 4. c. 85.	An Act to amend an Act passed in the first year of His present Majesty to permit the general sale of beer and cider by retail in England.	Section four; section seven; section ten; so much of section eleven as incorporates or applies any repealed enactment; section eighteen; section twenty-two.
2 & 3 Vict. c. 47.	An Act for further improving the police in and near the metropolis.	Section forty-one, from "and "in the case of any offence" to end of section. Section forty-two; section forty-three.
3 & 4 Vict. c. 61.	An Act to amend the Acts relating to the general sale of beer and cider by retail in England.	Section ten; section thirteen; section fifteen; section sixteen; section seventeen; section nineteen; also so much of section twenty-one as incorporates or applies any repealed enactment.
11 & 12 Vict. c. 49.	An Act for regulating the sale of beer and other liquors on the Lord's Day.	The whole Act so far as it relates to England.
18 & 19 Vict. c. 118.	An Act to repeal the Act of the seventeenth and eighteenth years of the reign of Her present Majesty for further regulating the sale of beer and other liquors on the Lord's Day, and to substitute other provisions in lieu thereof.	The whole Act.

Session and Chapter.	Title.	Extent of Repeal.
23 & 24 Vict. c. 27.	An Act for granting to Her Majesty certain duties on wine licenses and refreshment houses, and for regulating the licensing of refreshment houses and the granting of wine licenses.	Section five; section seventeen; section twenty; section twenty-six; section twenty-seven; section twenty-eight; section twenty-nine; section thirty-one; also sections eighteen, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, forty-one, and forty-two, so far as such sections relate to the sale of intoxicating liquors or any offences connected therewith; also section thirty-nine; section forty.
23 & 24 Vict. c. 113.	An Act to grant duties of excise on chicory and on licenses to dealers in sweets or made wines, also to reduce the excise duty on hops and the period of credit allowed for payment of the duty on malt and hops respectively; to repeal the exemption from license duty of persons dealing in foreign wine and spirits in bond, and to amend the laws relating to the excise.	Section forty-one.
27 & 28 Vict. c. 64.	An Act for further regulating the closing of public houses and refreshment houses within the metropolitan police district, the city of London, certain corporate boroughs, and other places.	The whole Act, except in so far as it relates to refreshment houses in which intoxicating liquors are not sold.
28 & 29 Vict. c. 77.	An Act to amend the Act 27 & 28 Vict. c. 64, commonly called "The Public House Closing Act, 1864."	The whole Act, except in so far as it relates to refreshment houses in which intoxicating liquors are not sold.
32 & 33 Vict. c. 27.	An Act to amend the law for licensing beerhouses, and to make certain alterations with respect to the sale by retail of beer, cider, and wine.	So much of section six as relates to the form of certificate; section twelve; section thirteen; section fourteen; section fifteen; section sixteen; section seventeen; section eighteen; so much of section nineteen as relates to offences; section twenty-two.
33 & 34 Vict. c. 29.	An Act to amend and continue "The Wine and Beerhouse Act Amendment Act, 1869."	Section five; section six; section seven, from "the second and third provisoes" to the end of section; section eight; section nine; section twelve; section thirteen; section fifteen; section seventeen.
34 & 35 Vict. c. 88.	An Act to restrict during a limited time the grant by justices of the peace of new licenses and certificates for the sale of intoxicating liquors by retail, and for other purposes.	The whole Act.

CHAPTER 95.

An Act to enlarge the powers of the Epping Forest Commissioners; and for other purposes.

[10th August 1872.]

WHEREAS by the Epping Forest Act, 1871, the Epping Forest Commissioners thereby constituted, and in this Act called the Commissioners, were directed amongst other things to inquire as to certain inclosures alleged to have been illegally made in that part of the forest of Waltham known as Epping Forest, and after the conclusion of such inquiries to prepare and settle a scheme for the disafforesting of Epping Forest, and for the preservation and management of the waste lands thereof:

And whereas numerous legal proceedings have been instituted and are pending in divers courts in respect of the said inclosures, between the several parties claiming to be interested in the lands so inclosed, and it is expedient that the Commissioners should be empowered to suspend legal proceedings respecting forestal and common rights in the said forest, and to suspend any encroachments thereon, until Parliament shall be enabled to legislate upon the report to be made by the Commissioners under the said Act, and that for that purpose the powers of the said Epping Forest Commissioners should be enlarged:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Epping Forest Amendment Act, 1872," and shall be deemed to be incorporated with and form part of the Epping Forest Act, 1871, and of the Act of the twelfth and thirteenth years of Her present Majesty incorporated therewith.

Stay of pending proceedings.

2. Any legal proceedings which at the passing of this Act may be pending in or under appeal from any court of law or equity in England, including any forest court, in respect of any matter or thing into which the Commissioners are directed or authorised to inquire under the Epping Forest Act, 1871, shall be stayed until the expiration of the session of Parliament next after the Commissioners have made their final report under the Epping Forest Act, 1871, unless the Commissioners otherwise direct: Provided that this section shall not affect the suit now pending in the Court of Chancery between the Commissioners of Sewers of the City of London, plaintiffs, and William Bulkeley Glasse and others, defendants.

Prohibition of future proceedings.

3. No new legal proceeding, except such supplemental or amended Bills as may be filed by the Commissioners of Sewer for the purpose of making the said suit effectual, shall, after the passing of this Act and until the expiration of the session of Parliament next after the Commissioners have made their final report under the Epping Forest Act, 1871, be instituted, brought, or taken in respect of any matter or thing into which the Commissioners are directed or authorised to inquire as aforesaid, except with the leave of the Commissioners and subject to such terms and conditions as they may impose.

Power for Commissioners to state a special case.

4. The Commissioners may, if they think fit, state any question or questions of law which may have arisen in the course of any pending legal proceedings, or which may arise in the course either of any proceedings which may be instituted before them, or of any of the inquiries which they are authorised or directed to make in the form of a special case for the opinion of one of Her Majesty's Superior Courts of Law or Equity, and such court may determine the questions raised in such case, or any of them.

Power to abate inclosures and protect herbage.

5. The Commissioners may from time to time make orders prohibiting until the expiration of the session of Parliament next after the Commissioners shall have made their final report under the Epping Forest Act, 1871, and no longer, any inclosures of any land within the said forest not inclosed before the passing of the Epping Forest Act, 1871, and for the prevention of any waste, injury, or destruction of vert, herbage, trees, shrubs, or other growing things in or upon any land within the said forest subject in their judgment to any forestal or common rights.

Authentication of awards and instruments.

6. All orders, certificates, or other instruments made by or proceeding from the Commissioners shall be sufficiently authenticated if under the hands of two of the Commissioners, and may be in writing, or partly in writing and partly in print; and all courts shall take judicial notice of their signature; and all such orders, certificates, and other instruments so authenticated shall be deemed to have duly been made and executed; and any such order or certificate may, if the Commissioners so direct, be published in the London Gazette, or in any other official gazette or like publication.

Conduct of proceeding before Commissioners.

7. Applications to the Commissioners shall be made in such manner and form, and shall be heard and disposed of on the attendance of or notice to such parties or persons chosen as representatives of such parties on such written or other statements, and on such evidence as the Commissioners by general regulations or otherwise may from time to time direct.

CHAPTER 96.

An Act to amend the Ecclesiastical Dilapidations Act, 1871; and for other purposes. [10th August 1872.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Alteration of the length of mortgage term, and of the conditions of repayment of advances.

1. This Act and "The Ecclesiastical Dilapidations Act, 1871," shall be read and construed together as one Act; and as to loans made under the provisions thereof, and also as to loans made under the provisions of the Acts specified in the second schedule of the said Act, it shall be lawful for the governors, with the stipulated consent of the bishop and patron, if they think fit, to vary the length of the mortgage term for all new mortgages by making the term for the repayment of the loan shorter than is directed by the said Acts; and the governors, with the stipulated consent of the bishop and patron, are also authorised, if they think fit, to lend any sum that may be required for the purposes of, and they may also from time to time vary the form of the deed of security prescribed by, the Acts specified in the said recited schedule; and when the powers of these Acts are concurrently exercised, as prescribed by the seventy-third section of "The Ecclesiastical Dilapidations Act, 1871," the mortgagors shall only be required to execute one mortgage deed: Provided always, that it shall not be lawful for the governors to allow a benefice to be mortgaged to them for any or all of the purposes of any of these Acts to an amount exceeding in the whole three years net income of such benefice.

And in fixing the terms of future advances the governors may either lend moneys, to be repaid by annual instalments with interest on the principal money, or by a fixed sum or sums payable yearly in the form of a terminable annuity, but the rate of interest to be used in all computations shall not exceed four pounds per centum per annum. Upon the appointment of a new incumbent the mortgage term of repayment may be extended in respect of the balance of any loan, if the governors shall so direct, to be certified by a memorandum under the hand of their secretary, endorsed upon or attached to the deed and counterpart, such extension to be kept within the limits prescribed by the said recited Acts.

Power to change the day of the date of annual payments.

2. It shall be lawful for the governors, with the consent in writing, under the hand only, of the mortgagor or of his successor, to change the day of the date of the annual payments payable to them under any mortgage deed, provided that they do not thereby lengthen the period for which the benefice or preferment is encumbered.

Regulation of fees to bishops, secretaries, registrars, and other officers.

3. It shall be lawful for the Archbishop of Canterbury, the Lord High Chancellor, and the Archbishop of York, with the assistance of the two vicars general of the said two archbishops, with the consent of the Lords Commissioners of Her Majesty's Treasury, at any time during the year one thousand eight hundred and seventy-three, to review the rates of the fees of the bishops secretaries and registrars, and the rates of surveyors charges for work done in pursuance of "The Ecclesiastical Dilapidations Act, 1871," as fixed or authorised to have been fixed under the tenth section of the same Act for the various dioceses throughout England and Wales; and it shall be lawful for the Archbishop of Canterbury, the Lord Chancellor, and the Archbishop of York, and the other aforesaid constituted authorities, to ordain and establish in lieu thereof one uniform table of fees and charges to be binding throughout the whole of England and Wales, and shall have power from time to time to amend or alter such table of fees and charges; and before the fees and charges contained in such table or such amended table shall be demanded, taken, or received by any of the said persons, such table or amended table shall be submitted to Her Majesty's Privy Council, and shall be dealt with in all respects in accordance with the directions contained in the one hundred and thirty-first section of the Act of Parliament of first and second Victoria, chapter one hundred and six, and the first section of the Act of Parliament of thirtieth and thirty-first Victoria, chapter one hundred and thirty-five, so far as the same are applicable.

CHAPTER 97.

An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. [10th August 1872.]

WHEREAS, with a view to the revision of the Statute Law, and particularly to the preparation of the Revised Edition of the Statutes now in progress, it is expedient that certain enactments (mentioned in the schedule to this Act) which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal, or have, by lapse of time and change of circumstances, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications in the schedule mentioned:

Saving.

Provided, that where any enactment not comprised in the schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act:

and the repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, or emolument, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage practice, procedure, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's Dominions out of the United Kingdom, except where otherwise expressed in the said schedule.

Short title.

2. This Act may be cited as The Statute Law Revision Act, 1872 (No. 2.)

SCHEDULE.

A description or citation of a portion of an Act is inclusive of the words, section, or other part, first or last mentioned, or otherwise referred to as forming the beginning, or as forming the end, of the portion comprised in the description or citation.

GEORGE III.

47 Geo. 3. Sess. 1. c. 2.	An Act for raising the Sum of Ten millions five hundred thousand Pounds by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and seven.
c. 3.	An Act for continuing and granting to His Majesty certain Duties upon Malt in Great Britain, for the Service of the Year One thousand eight hundred and seven.
c. 4.	An Act for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in England; and certain Duties on Sugar, Malt, Tobacco, and Snuff, in Great Britain, for the Service of the Year One thousand eight hundred and seven.
c. 6.	*An Act the title of which begins with the words,*—An Act to continue, during the present War,—*and ends with the words,*—Militia Forces in Ireland as might voluntarily offer themselves to be employed in Great Britain.
c. 8.	An Act to continue for the Term of Seven Years certain Acts of the Parliament of Ireland, for preventing the Importation of Arms, Gunpowder, and Ammunition, and the making, removing, selling, and keeping of Gunpowder, Arms, and Ammunition, without Licence.
c. 10.	An Act for raising the Sum of One million by Treasury Bills for the Service of Ireland for the Year One thousand eight hundred and seven.
c. 11.	An Act to authorize His Majesty, until the Twenty-fifth day of March One thousand eight hundred and eight, to make Regulations respecting the Trade and Commerce to and from the Cape of Good Hope.
c. 13.	An Act for investing certain Commissioners appointed for the Examination of Accounts and Expenditure relating to the Office of Barrack Master General, with certain Powers and Authorities necessary for the Examination of such Accounts and Expenditure.
c. 14.	An Act to amend several Acts, for regulating the Trial of Controverted Elections or Returns of Members to serve in Parliament, so far as the same relate to Ireland. Repealed so long as 31 & 32 Vict. c. 125. s. 50. continues in force.
c. 15.	An Act to continue for the Term of Seven Years, certain Acts for the better Prevention and Punishment of Attempts to seduce Persons serving in His Majesty's Forces by Sea or Land from their Duty and Allegiance to His Majesty, or to incite them to Mutiny or Disobedience.
c. 18.	An Act to grant to His Majesty certain Inland Duties of Excise and Taxes in Ireland, and to allow certain Drawbacks in respect thereof; in lieu of former Duties of Excise, Taxes, and Drawbacks.
c. 20.	An Act to suspend, until the First Day of May One thousand eight hundred and seven, the Payment of all Drawbacks on Spirits made or distilled in Great Britain or Ireland, and exported from either Country to the other respectively.
c. 23.	*An Act the title of which begins with the words,*—An Act for repealing so much of an Act, made in the Ninth Year,—*and ends with the words,*—Possession of His Majesty, His Heirs or Successors.

c. 24.	An Act for allowing, until the First Day of August One thousand eight hundred and eight, the Importation of certain Fish from Newfoundland and the Coast of Labrador, and for granting a Bounty thereon.
c. 27.	An Act for granting to His Majesty, until Twelve Months after the Ratification of a Definitive Treaty of Peace, certain additional Duties of Excise on Brandy in Great Britain.
c. 29.	*An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Bounties on Sugar when the Duties imposed by an Act of the last Session of Parliament shall be suspended.
c. 30.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Ships belonging to the Inhabitants of the United States of America, and coming in Ballast.
c. 31.	An Act to repeal Part of the Duty on the Importation of unmanufactured Tobacco into Ireland.
c. 32.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 33.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 34.	*An Act the title of which begins with the words,*—An Act for continuing, until the First Day of August,—*and ends with the words,*—Coals, Culm, or Cinders, to London and Westminster, by Inland Navigation.
c. 37.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Frauds by Persons navigating Bumboats, and other Boats, upon the River Thames.
c. 39.	An Act to rectify a mistake in an Act made in the last Session of Parliament, for enabling His Majesty to settle Annuities on certain Branches of the Royal Family.
c. 41.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—accounting for Publick Money, in Ireland.
c. 42.	An Act to continue for Twenty-one Years, so much of certain Acts of the Parliament of Ireland, as relate to the lighting, cleansing, and watching of Cities and Towns, for the lighting, cleansing, and watching of which no particular Provision is made by any Act of Parliament.
c. 44.	An Act to amend an Act made in the last Session of Parliament, for regulating and providing for the Relief of the Poor and the Management of Infirmaries and Hospitals in Ireland.
c. 45.	An Act to continue an Act made in the Parliament of Ireland, in the Thirty-first Year of the Reign of His late Majesty King George the Second, for the better supplying the City of Dublin with Coals, and for the better Encouragement of the Collieries of Ireland.
c. 53.	An Act to suspend for Twelve Months so much of an Act of the Second Year of King James the First, intituled An Act concerning Tanners, Curriers, Shoemakers, and other Artificers, occupying the cutting of Leather, as prohibits the regrating and ingrossing of Oaken Bark.
c. 54.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
47 Geo. 3. Sess. 2. c. 1.	An Act to continue until the Fifth Day of July One thousand eight hundred and eight, several Acts for granting certain Rates and Duties, and for allowing certain Drawbacks and Bounties on Goods, Wares, and Merchandize, imported into and exported from Ireland.

c. 2.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Expiration of Six Weeks,—*and ends with the words,*—said Acts, for such Period as His Majesty may deem expedient.
c. 3.	An Act to indemnify Persons who have advised or acted under an Order of Council for making Regulations with respect to the Navigation and Commerce between His Majesty's Subjects and the Subjects of the United States of America.
c. 4.	An Act to enable His Majesty to grant a certain Annuity to Major General Sir John Stuart, Knight of the most Honourable Order of the Bath, in consideration of the eminent Services which he has rendered to His Majesty and the Publick.
c. 6.	An Act for raising the Sum of Three Millions by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and seven.
c. 7.	An Act for raising the Sum of One million five hundred thousand Pounds, by Loans or Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and seven.
c. 9.	An Act for granting to His Majesty a Sum of Money to be raised by Lotteries.
c. 15. in part.	An Act to provide for the regulating and securing the Collection of the Duty on Gold and Silver Plate, wrought or manufactured in Ireland - - } in part; namely,— Sections One, Two, and Twelve.
c. 18.	An Act to provide for the Decrease and Suspension, in certain Cases, of Part of the Countervailing Duties on British Refined Sugar imported into Ireland.
c. 21.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and seventeen, an Act, passed in Ireland in the Thirteenth and Fourteenth Years of His present Majesty, respecting certain Annuities.
c. 22.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and seventeen, an Act passed in Ireland in the Thirty-sixth Year of His present Majesty, for the Improvement and Extension of the Fisheries on the Coasts of Ireland.
c. 24.	*An Act the title of which begins with the words,*—An Act to explain and amend an Act, passed in the Thirty-ninth and Fortieth Year,—*and ends with the words,*—Property of Her Majesty, and of the Queen Consort for the Time being.
c. 25. in part.	An Act for the more convenient Payment of Half Pay and Pensions, and other Allowances to Officers and Widows of Officers, and to Persons upon the Compassionate List - - - - - } in part; namely,— Section One from "under such Rules and Regulations" to "applicable, or".
c. 26.	*An Act the title of which begins with the words,*—An Act for defraying, until the Twenty-fifth Day of March,—*and ends with the words,*—Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.
c. 28.	An Act to enable the Lords Commissioners of His Majesty's Treasury to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain, for the Year One thousand eight hundred and seven.
c. 29.	An Act for defraying the Charge of the Pay and Cloathing of the Militia in Great Britain for the Year One thousand eight hundred and seven.
c. 31.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.

c. 32.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 33.	An Act to continue, until the First Day of June One thousand eight hundred and eight, an Act of the Forty-fifth Year of His present Majesty, for appointing Commissioners to enquire into the Public Expenditure, and the Conduct of the Public Business in the Military Departments therein mentioned.
c. 37.	An Act to revive and continue, until the Twenty-fifth Day of March One thousand eight hundred and eight, an Act of the Forty-sixth Year of His present Majesty, for altering and amending several Laws relating to the Duties of Excise upon Malt.
c. 38.	*An Act the title of which begins with the words,*—An Act for permitting, until the Twenty-fifth Day of March,—*and ends with the words,*—Exportation of other enumerated Articles from the same Colonies, to the said States.
c. 40.	An Act to alter the Practice of Courts of Equity, in Suits in which Members of Parliament are Defendants.
c. 43.	An Act to revive and continue, until the End of the next Session of Parliament, an Act of the Forty-sixth Year of His present Majesty, for suspending Proceedings in Actions and other Proceedings relating to the Woollen Manufacture.
c. 44.	An Act for transferring to His Majesty, certain Possessions and Rights vested in the Sierra Leone Company, and for shortening the Duration of the said Company, and for preventing any dealing or trafficking in the buying or selling of Slaves within the Colony of Sierra Leone.
c. 46.	*An Act the title of which begins with the words,*—An Act to repeal certain Provisions of an Act, passed in the Forty-sixth Year,—*and ends with the words,*—Lands of the Crown within the same; and to amend the said Act.
c. 47.	*An Act the title of which begins with the words,*—An Act to grant certain Duties on Callicoes,—*and ends with the words,*—Regulations contained in the Acts for the Union of Great Britain and Ireland.
c. 48.	An Act to continue, until the Twenty-ninth Day of September One thousand eight hundred and eight, several Acts for the better Collection and Security of the Revenues of Customs and Excise in Ireland, and for preventing Frauds therein.
c. 49.	An Act for allowing a Drawback on certain Linens exported from Great Britain to the West Indies.
c. 50. in part.	An Act to amend an Act, made in the Parliament of Ireland, in the Fifth Year of His present Majesty's Reign, for erecting and establishing Publick Infirmaries or Hospitals in Ireland - - - } in part; namely,— Section Two to "Purposes of this Act; and". And, except as to the county of the city of Dublin, the Sections and parts of Sections following, namely,— the residue of Section Two. Section One from "and that the Grand Jury" to "empowered to do;". Section Five. Section Six from "or alter" to "nor to." Section Seven.
c. 52.	An Act to repeal so much of an Act of the last Session of Parliament, as relates to the Payment of Duty on Coffee and Cocoa Nuts when exported from the Warehouse in which the same shall have been secured.
c. 55.	An Act for allowing a certain Proportion of the Militia in Ireland voluntarily to enlist into His Majesty's Regular Forces.
c. 57.	An Act for allowing a certain Proportion of the Militia in Great Britain voluntarily to enlist into His Majesty's Regular Forces.

c. 62.	An Act to suspend, until the First Day of May One thousand eight hundred and eight, the Payment of all Drawbacks on Spirits made or distilled in Great Britain or Ireland, and exported from either Country to the other respectively.
c. 68. in part.	*An Act the title of which begins with the words,*—An Act for the better Government of the Settlements of Fort Saint George and Bombay,—*and ends with the words,*—Civil Servants of the East India Company may be employed in their Service abroad - - - } in part namely,— Sections One to Three, Six, and Seven. Repealed as to all Her Majesty's Dominions.
c. 72.	An Act for raising the Sum of Five hundred thousand Pounds by Treasury Bills for the Service of Ireland for the Year One thousand eight hundred and seven.
c. 73.	An Act for enabling His Majesty to raise the Sum of Four millions five hundred thousand Pounds, for the Service of Great Britain.
c. 76.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Consolidated Fund,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.
48 Geo. 3. c. 5.	*An Act the title of which begins with the words,*—An Act for repealing an Act made in the Forty-seventh Year,—*and ends with the words,*—Avoidance of Benefices by the Incumbents thereof having accepted augmented Curacies.
c. 6.	An Act to continue, until the End of this Session of Parliament, several Acts for carrying into execution the Treaty of Amity, Commerce, and Navigation, between His Majesty and the United States of America.
c. 7.	An Act for raising the Sum of Ten millions five hundred thousand Pounds, by Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and eight.
c. 10.	An Act to amend so much of an Act, made in the Forty-sixth Year of His present Majesty, for granting certain Duties on Spirits made in Scotland, as relates to delivering up the Licences granted for distilling Spirits in the Lowlands of Scotland, and for better preventing private Distillation.
c. 13.	An Act for settling and securing a certain Annuity on Viscount Lake, and the Two next Persons to whom the Title of Viscount Lake shall descend, in consideration of the eminent Services of the late General Viscount Lake.
c. 14.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 15.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 16.	*An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Duties imposed by an Act of the last Session of Parliament shall be suspended.
c. 17.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—warehousing in Ireland Rum or Spirits of the British Sugar Plantations.
c. 18.	An Act for amending and further continuing an Act made in the Thirty-eighth Year of His present Majesty, for regulating the Payment of the Duties on Cinnamon, Cloves, Nutmegs, and Mace.
c. 19.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Timber, for Naval Purposes, from the British Colonies in North America, Duty free.

c. 20.	*An Act the title of which begins with the words,*—An Act to continue until the Twenty-fifth Day of March,—*and ends with the words,*—Importation of Fish from Newfoundland and the Coast of Labrador.
c. 21.	An Act to empower the Commissioners appointed for distributing the Money paid by the United States of America, to withdraw the same from the Bank, and invest it in Exchequer Bills.
c. 23.	*An Act the title of which begins with the words,*—An Act to continue several Laws relating to the granting a Bounty on the Importation into Great Britain of Hemp,—*and ends with the words,*—Flax, until the Twenty-fifth Day of March One thousand eight hundred and eleven.
c. 24.	An Act for further continuing, until Three Months after the Ratification of a Definitive Treaty of Peace, an Act made in the Forty-fourth Year of His present Majesty, for permitting the Importation into Great Britain, of Hides and other Articles in Foreign Ships.
c. 25.	An Act for further continuing until the Twenty-fifth Day of July One thousand eight hundred and nine, an Act made in the Thirty-third Year of His present Majesty, for rendering the Payment of Creditors more equal and expeditious in Scotland.
c. 26.	An Act for granting to His Majesty, until the End of the next Session of Parliament, Duties of Customs on the Goods, Wares, and Merchandize therein enumerated, in furtherance of the Provisions of certain Orders in Council.
c. 27.	*An Act the title of which begins with the words,*—An Act to continue until the Twenty-fifth Day of March,—*and ends with the words,*—Importation into Ireland, Duty free, of Corn and other Provisions.
c. 28.	An Act for granting to His Majesty, until the End of the next Session of Parliament, certain Duties on the Exportation from Ireland of Goods, Wares, and Merchandize therein enumerated.
c. 29.	An Act to prohibit, until the End of the next Session of Parliament, the Exportation of Jesuits Bark and Cotton Wool from Ireland.
c. 33.	An Act to prohibit, until the End of the next Session of Parliament, the Exportation of Jesuits Bark from Great Britain.
c. 34.	An Act to prohibit, until the End of the next Session of Parliament, the Exportation of Cotton Wool from Great Britain.
c. 35.	An Act for imposing, until the End of the next Session of Parliament, a Duty on Cotton Wool, the Growth of the British Colonies, exported from Great Britain.
c. 36.	An Act for further continuing, until the Twenty-fourth Day of June One thousand eight hundred and nine, an Act of the Forty-sixth Year of His present Majesty, for altering and amending several Laws relating to the Duties of Excise upon Malt.
c. 37.	*An Act the title of which begins with the words,*—An Act for making valid certain Orders in Council,—*and ends with the words,*—Goods from Countries from which the British Flag is excluded, in any Vessels whatever.
c. 39.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 43.	An Act to suspend until the Eleventh Day of June One thousand eight hundred and eight, the Payment of all Drawbacks on Spirits made or distilled in Great Britain or Ireland, and exported from either Country to the other respectively.
c. 45.	*An Act the title of which begins with the words,*—An Act for defraying until the Twenty-fifth Day of March,—*and ends with the words,*—Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.

c. 46.	An Act for defraying the Charge of the Pay and Cloathing of the Militia in Great Britain for the Year One thousand eight hundred and eight.
c. 49.	An Act for accelerating the making up, Examination, and Audit of the Accounts of the Paymaster General of His Majesty's Forces.
c. 50.	An Act to suspend the granting of Offices in Reversion, or for joint Lives with Benefit of Survivorship, for One Year after the passing of this Act, and from thence until Six Weeks after the Commencement of the then next Session of Parliament.
c. 51.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 52.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.
c. 53.	An Act for raising the Sum of Three Millions by Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and eight.
c. 54.	An Act for raising the Sum of One million five hundred thousand Pounds by Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and eight.
c. 55. in part.	*An Act the title of which begins with the words,*—An Act for repealing the Duties of Assessed Taxes,—*and ends with the words,*—Management of the Commissioners for the Affairs of Taxes - - - - } in part; namely,— Sections One to Six. Section Seven, so far as it relates to Schedule (L.). Sections Eight to Ten. Schedule (A.) except Rule V. so far as the same is applicable to Rule I. of Schedule (B.). Schedule (B.) from "For every such" to "0 2 10", the words in Rule I. "and in Addition to the Duties contained in Schedule (A.)" and Cases II. and III. of Exemptions. Schedules (C.) to (N.).
c. 58. in part.	*An Act the title of which begins with the words,*—An Act for amending the Law with regard to the Course of Proceeding on Indictments,—*and ends with the words,*—taking Bail in the King's Suit to assign the Bail Bonds to the King - - - - } in part; namely,— Section Two. Section Three from "or out of any" to "Wales," and from "provided" to "commenced thereupon".
c. 59.	An Act for enabling His Majesty to settle an Annuity on Her Royal Highness the Duchess of Brunswick Wolfenbuttel.
c. 60.	An Act for repealing an Act passed in the First Year of King James the First, intituled An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather; and also for repealing and amending certain parts of several other Acts of Parliament relating thereto.
c. 61.	An Act to continue until the End of the next Session of Parliament, an Act of the Forty-fifth Year of His present Majesty, for appointing Commissioners to enquire into the Public Expenditure and the Conduct of the Public Business in the Military Departments therein mentioned.
c. 67.	An Act for granting an additional Duty on Copper imported into Great Britain, until the Fifth Day of April One thousand eight hundred and eleven, and from thence to the End of the then next Session of Parliament.

c. 69.	*An Act the title of which begins with the words,*—An Act to permit, until the Twenty-fifth Day of March,—*and ends with the words,*—Corn to be imported from such Port and from the Coast of Africa into the said Colonies and Plantations.
c. 71.	*An Act the title of which begins with the words,*—An Act to amend so much of Two Acts of this Session,—*and ends with the words,*—Prize Goods imported into Great Britain or Ireland.
c. 75. in part.	An Act for providing suitable Interment in Churchyards or Parochial Burying Grounds in England, for such dead Human Bodies as may be cast on Shore from the Sea, in cases of Wreck or otherwise - } in part; namely,— The last Section.
c. 79.	An Act to amend the Two Acts for the collecting of the Malt Duties in Ireland, and regulating the Trade of a Maltster.
c. 80.	*An Act the title of which begins with the words,*—An Act to continue until the Fifth Day of July,—*and ends with the words,*—Duty on British Plantation Coffee imported.
c. 85.	An Act to regulate the Trade between Great Britain and the United States of America until the end of the next Session of Parliament.
c. 88. in part.	An Act to restrain the Negotiation of Promissory Notes and Inland Bills of Exchange, under a limited Sum, in England - - - - - - } in part; namely,— Sections One and Eleven.
c. 89.	An Act for enabling the Commissioners appointed to examine Accounts of Public Expenditure in the Barrack Office, more speedily and effectually to investigate the said Accounts.
c. 92.	*An Act the title of which begins with the words,*—An Act to repeal so much of an Act, made in the Forty-seventh Year,—*and ends with the words,*—Charges of Management of Stock redeemed.
c. 94.	An Act for repealing so much of an Act made in the Parliament of Scotland, in the Fourth Session of the First Parliament of Queen Anne, intituled, Act for Preserving the Game, as relates to the Shooting of Hares.
c. 97.	An Act to enable the Commissioners of His Majesty's Treasury, to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain for the Year One thousand eight hundred and eight.
c. 98.	An Act for letting to Farm the Duties on Horses hired by the Mile or Stage, to be used in travelling, and on Horses hired for a less Period of Time than Twenty-eight Days, for drawing Carriages used in travelling Post, or otherwise, in Great Britain, and for better securing the said Duties.
c. 102.	*An Act the title of which begins with the words,*—An Act for appointing Commissioners for carrying into execution an Act of this Session of Parliament,—*and ends with the words,*—Service of the Year One thousand seven hundred and ninety-eight.
c. 103. in part.	*An Act the title of which begins with the words,*—An Act for further extending the Provisions of several Acts for establishing the Bank of Ireland,—*and ends with the words,*—Service of the Year One thousand eight hundred and eight - - } in part; namely,— Section One from "That so much" to "repealed; and", from "and "shall for ever" to "also mentioned" and from "Subject never- "theless" to end of that Section. Section Three to "One thousand eight hundred and nine; and". Sections Five and Six. Section Eight to end of Act.

c. 105.	An Act to authorize His Majesty until the Twenty-fifth day of March One thousand eight hundred and nine, to make Regulations respecting the Trade and Commerce to and from the Cape of Good Hope.
c. 108.	*An Act the title of which begins with the words,*—An Act for carrying into complete Execution and Effect certain Provisions,—*and ends with the words,*—Patentee Officers of the Office of Serjeant at Arms of the said Court of Exchequer.
c. 110. in part.	An Act for the further Encouragement and better Regulation of the British White Herring Fishery, until the First Day of June One thousand eight hundred and thirteen, and from thence to the End of the then next Session of Parliament - - } in part; namely,— Section Thirty-six from "or of" to "net Fish". Section Thirty-eight from "or any Herrings (other than" to "Two "hundred Pounds Weight," and from "And if" to end of that Section. Section Thirty-nine. Section Forty from "all" to "such Certificate". Section Forty-one from "Provided" to end of that Section.
c. 112.	An Act for raising the Sum of Five hundred thousand Pounds by Treasury Bills for the Service of Ireland for the Year One thousand eight hundred and eight.
c. 114.	An Act for raising the Sum of Six Millions by Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and eight.
c. 115.	An Act to grant to His Majesty Countervailing Duties on Spirits imported into Ireland from Scotland; and to allow equivalent Drawbacks on Spirits exported from Ireland to Scotland.
c. 118.	An Act to prohibit the Distillation of Spirits from Corn or Grain, for a limited Time.
c. 126.	*An Act the title of which begins with the words,*—An Act to permit Goods secured in Warehouses in the Port of London,—*and ends with the words* —One Month after the Signature of the Preliminary Articles of Peace.
c. 128. in part.	*An Act the title of which begins with the words,*—An Act to repeal so much of an Act, passed in the Forty-fifth Year,—*and ends with the words,*—Orders for examining and settling such Accounts - - } in part; namely,— Section One.
c. 131.	An Act for further continuing until the First Day of May One thousand eight hundred and nine, an Act of the Forty-third Year of His present Majesty, for suspending Proceedings in Actions and other Proceedings relating to the Woollen Manufacture.
c. 133.	An Act for enlarging the Times appointed for the First Meetings of Commissioners and other Persons, for putting in execution certain Acts of this Session of Parliament.
c. 134.	An Act to amend the Laws relating to the marking of Bags and Pockets of Hops.
c. 136.	An Act to indemnify all Officers and Persons who have carried into execution any of the Provisions of an Act passed in the last Session of Parliament, for completing and increasing the Militia of Great Britain, in relation to the Militia of the Tower Hamlets.
c. 138. in part.	An Act for defining and regulating the Powers of the Commission of Tiends, in augmenting and modifying the Stipends of the Clergy of Scotland } in part; namely,— Sections Three to Six, Fifteen, and Eighteen.
c. 139.	An Act for granting to His Majesty a Sum of Money to be raised by Lotteries.

c. 140. in part. An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of Dublin Metropolis - - - - - in part; namely,—

Sections One to Thirteen and Sixteen to Twenty-six.
Section Twenty-eight from "together with" to the "same".
Sections Twenty-nine, Thirty, Thirty-two to Thirty-four and Thirty-six to Forty-six.
Section Forty-seven from "the Goods" to "or in case", and from "and any such Person" to "Evidence,".
Section Fifty-three from "and if any such Person so apprehended" to end of that Section.
Sections Sixty to Sixty-four.
Section Sixty-five from "hawk about" to "Place; or" and from "or sell Spirituous" to "Metropolis,".
Section Sixty-six from "every such Person" to "Sale; and", from "and before any Person shall sell" to "of Reception for nightly "Lodgers,", from "for his or her" to "Merchandizes, or", and from "or selling Spirituous Liquors" to "(as the Case may be)".
Sections Seventy-one, Seventy-two, Seventy-six to Ninety, Ninety-four to One hundred and seventeen, One hundred and twenty-one, One hundred and twenty-five, One hundred and twenty-six, and One hundred and twenty-eight.

c. 141. in part. An Act to amend the Acts relating to the Duties of Assessed Taxes, and of the Tax upon the Profits of Property, Professions, Trades, and Offices, and to regulate the Assessment and Collection of the same - - - - - - in part; namely,—

Sections Two, Three, Seven to Eleven, Fourteen and Fifteen.

c. 142. in part. An Act for enabling the Commissioners for the Reduction of the National Debt, to grant Life Annuities - - - :—

Except Sections Twenty-one, Twenty-three, Twenty-eight, and Thirty-two.

c. 143. An Act to repeal the Stamp Duties on Licences granted by Justices of the Peace for selling Ale, Beer, and other Exciseable Liquors by Retail; and for granting other Duties in lieu thereof.

c. 145. An Act for enabling His Majesty to grant Annuities to the Judges of the Court of Session, Justiciary, and Exchequer in Scotland, upon the Resignation of their Offices - - - - - in part; namely,—

So far as relates to the Chief Baron and Barons of the Court of Exchequer in Scotland.

c. 146. An Act for vesting the Stock of the Court of Session in Scotland in Trustees, for the erecting Buildings for the better Accommodation of the College of Justice, and a Publick Gaol, in the city of Edinburgh, and for other Purposes therein mentioned.

c. 147. An Act to permit the Sale of the Danish Prize Ship Constantia Maria, and her Cargo, in the Port of Fowey in the County of Cornwall.

c. 148. *An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain Sum of Money out of the Consolidated Fund,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.

c. 149. in part. An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Legacies and Successions to Personal Estate upon Intestacies, now payable in Great Britain; and for granting new Duties in lieu thereof - - - - - - in part; namely,—

Sections Forty-three, Forty-six, and Forty-seven.

c. 151. in part.	An Act concerning the Administration of Justice in Scotland, and concerning Appeals to the House of Lords - - - - - - - in part; namely,— Section One from "and the Lord President" to end of that Section. Sections Two and Three. Section Four from "and each" to "and eight". Sections Five, Seven, and Eight. Section Nine from "and that" to "such Lords Ordinary belong;". Section Thirteen to "Provided nevertheless, that". Section Twenty-two.
c. 152.	An Act for granting certain Duties on Worts or Wash made from Sugar during the Prohibition of Distillation from Corn or Grain in Great Britain.
49 Geo. 3. c. 1.	An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco, and Snuff, in Great Britain; and on Pensions, Offices, and Personal Estates in England; for the Service of the Year One thousand eight hundred and nine.
c. 2.	An Act for raising the Sum of Ten millions five hundred thousand Pounds, by Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and nine.
c. 3.	An Act for raising the Sum of One million five hundred thousand Pounds, by Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and nine.
c. 6.	An Act for the Relief of Prisoners in Custody for Non-payment of Money pursuant to Orders of Courts of Equity.
c. 7.	An Act to prohibit the Distillation of Spirits from Corn or Grain, in the United Kingdom, for a limited Time.
c. 8.	An Act to suspend the Importation of British or Irish made Spirits into Great Britain or Ireland respectively, until the First Day of June One thousand eight hundred and nine.
c. 10.	*An Act the title of which begins with the words,*—An Act to continue so much of an Act of the Forty-seventh Year,—*and ends with the words,*—Raw Sugar exported, until the Twenty-fifth Day of March One thousand eight hundred and ten.
c. 11.	*An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Sugar when the Duties imposed by an Act of the Forty-sixth Year of His present Majesty shall be suspended.
c. 12.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 14. in part.	An Act for repealing an Act of the Parliament of Scotland, relative to Child Murder; and for making other Provisions in lieu thereof - - - - - in part; namely,— Section One.
c. 18.	*An Act the title of which begins with the words,*—An Act for continuing until the Twenty-fifth Day of March,—*and ends with the words,*—Exportation of Wool from the British Plantations in America.
c. 19.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 20.	*An Act the title of which begins with the words,*—An Act to make perpetual several Laws relating to the Encouragement of the Silk Manufactures,—*and ends with the words,*—Importation of Seal Skins cured with Foreign Salt free of Duty.
c. 23.	*An Act the title of which begins with the words,*—An Act for further continuing until the Twenty-fifth Day of March,—*and ends with the words,*—Corn; and for allowing the Importation of other Articles of Provision without Payment of Duty.

c. 24.	An Act for charging with Duty Spent Wash, re-distilled in Great Britain.
c. 25.	An Act to permit, until the Twenty-fifth Day of March One thousand eight hundred and eleven, the Importation of Tobacco into Great Britain, from any Place whatever.
c. 26.	An Act for allowing until the Twenty-fifth Day of March One thousand eight hundred and ten, the Importation of certain Fish from Parts of the Coast of His Majesty's North American Colonies; and for granting a Bounty thereon.
c. 27. in part.	An Act for establishing Courts of Judicature in the Island of Newfoundland and the Islands adjacent; and for re-annexing Part of the Coast of Labrador and the Islands lying on the said Coast to the Government of Newfoundland - - - - :— Except Section Fourteen. Repealed as to all Her Majesty's Dominions.
c. 28.	An Act to enable the Clerks of the King's Coroner and Attorney in the Court of King's Bench to be admitted as Attorneys.
c. 29.	An Act for the Appropriation of Twenty thousand Pounds out of the Consolidated Fund of Ireland, towards the Encouragement of the saving of Flax Seed for Sowing in Ireland.
c. 30.	An Act to continue until the Twenty-fifth Day of March One thousand eight hundred and ten, certain Acts for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland, and for warehousing in Ireland, Rum or Spirits of the British Sugar Plantations.
c. 31.	An Act to continue until the Twenty-fifth Day of March One thousand eight hundred and ten, an Act of the Forty-first Year of His present Majesty, for prohibiting the Exportation from Ireland, and for permitting the Importation into Ireland, Duty-free, of Corn and other Provisions.
c. 32. in part.	*An Act the title of which begins with the words,*—An Act for continuing and making perpetual several Duties of One Shilling and Sixpence,—*and ends with the words,*—Twenty-fifth Day of March One thousand eight hundred and nine - - - - in part; namely,— Section One from "and the Duties hereby granted" to end of that Section. Sections Two to Six.
c. 36.	An Act to amend an Act made in the Forty-fifth Year of His present Majesty, for amending and rendering more effectual an Act of the Parliament of Ireland, for erecting and establishing Public Infirmaries or Hospitals. Repealed except as to the county of the city of Dublin.
c. 37.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 38.	An Act for further continuing until the Twenty-fifth Day of July One thousand eight hundred and eleven, an Act made in the Thirty-third Year of His present Majesty, for rendering the Payment of Creditors more equal and expeditious in Scotland.
c. 42. in part.	An Act for better regulating the Publick Records of Scotland - - - - - - - - in part; namely,— Sections Four to Seven, Fourteen, Seventeen, and Eighteen.
c. 43.	An Act for regulating the Mode in which the Average Price of Brown or Muscovado Sugar, exclusive of the Duty thereon, is to be ascertained under the Provisions of an Act passed in the Forty-sixth Year of His present Majesty.
c. 46.	An Act to authorize the Principal Officers of the Customs in the British Colonies and Plantations in America and the West Indies, to examine Witnesses on Oath. Repealed as to all Her Majesty's Dominions.

c. 49.	An Act to authorize His Majesty to permit, until the Twenty-fifth Day of March One thousand eight hundred and twelve, any Goods and Commodities to be imported into and exported from Nova Scotia and New Brunswick, in any Ship or Vessel whatsoever.
c. 51.	*An Act the title of which begins with the words,*—An Act to continue until the First Day of August,—*and ends with the words,*—accounting for Public Money in Ireland.
c. 52.	An Act for raising the Sum of Six Millions by Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and nine.
c. 54.	An Act for the Relief of certain Insolvent Debtors in Ireland.
c. 55.	*An Act the title of which begins with the words,*—An Act for rectifying Mistakes in the Names of the Commissioners,—*and ends with the words,*—indemnifying such Persons as have acted as Commissioners for executing the said Acts.
c. 57.	An Act for improving the Quality of Beer in Ireland, by further preventing the Use of unmalted Corn, or of any deleterious or unwholesome Ingredients therein, and for the better securing the Collection of the Malt Duties in Ireland.
c. 60.	An Act for allowing the Importation from any Port in Europe or Africa, of Goods or Commodities the Growth or Produce of any Country, until Six Months after the Ratification of a Definitive Treaty of Peace.
c. 64.	An Act to amend an Act passed in the last Session of Parliament for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities.
c. 67.	An Act to amend an Act passed in the Forty-sixth Year of His present Majesty, for the Redemption and Sale of the Land Tax, and to make further Provision for exonerating small Livings and Charitable Institutions from the Land Tax.
c. 68.	An Act to explain and amend the Law of Bastardy, so far as relates to indemnifying Parishes in respect thereof.
c. 72.	*An Act the title of which begins with the words,*—An Act to continue until the Twenty-fifth Day of March,—*and ends with the words,*—regulating the Coal Trade thereof, and for other purposes.
c. 73.	An Act to grant to His Majesty Duties upon Spirits made or distilled in Ireland, and upon British Spirits imported into Ireland, and upon Licences to sell Spirituous Liquors in Ireland in Quantities *not* less than Two Gallons.
c. 74.	An Act to continue until the Fifth Day of July One thousand eight hundred and ten, several Acts for granting certain Rates and Duties, and for allowing certain Drawbacks and Bounties on Goods, Wares, and Merchandize imported into and exported from Ireland.
c. 79.	An Act for raising the Sum of Five hundred thousand Pounds by Treasury Bills for the Service of Ireland for the Year One thousand eight hundred and nine.
c. 80.	An Act for allowing Dealers to roast their own Coffee on certain Conditions.
c. 84.	An Act for amending the Irish Road Acts.
c. 85.	*An Act the title of which begins with the words,*—An Act for defraying, until the Twenty-fifth Day of March,—*and ends with the words,*—making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.
c. 87.	An Act for defraying the Charge of the Pay and Clothing of the Militia and Local Militia in Great Britain for the Year One thousand eight hundred and nine.

c. 88.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain, while disembodied.
c. 89.	*An Act the title of which begins with the words,*—An Act to revive and continue until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England, disembodied under an Act of the same Session of Parliament.
c. 90. in part.	An Act for providing Relief for the Wives and Families of the Militia Men in Scotland, when called into actual Service - - - - - } in part; namely,— Sections Forty to Forty-four. Section Forty-five to "made:". Section Forty-six.
c. 92.	*An Act the title of which begins with the words,*—An Act for charging the Sum of Eleven Millions,—*and ends with the words,*—and for certain Periods after the Ratification of a Definitive Treaty of Peace.
c. 93.	An Act to enable the Commissioners of His Majesty's Treasury, to issue Exchequer Bills, on the Credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain, for the Year One thousand eight hundred and nine.
c. 94.	An Act for granting to His Majesty a Sum of Money to be raised by Lotteries.
c. 99.	An Act to amend the several Acts for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland; and for the regulating the Sale of such Liquors by Retail.
c. 101. in part.	An Act to regulate the Fees payable by Persons charged with Treason, Felony, and all other Offences, at Assizes and Quarter Sessions in Ireland; and for amending an Act of the Parliament of Ireland, made in the Thirty-sixth Year of His present Majesty relating thereto - } in part; namely,— Section One as to the first six items (ending with the words "prepare "the same."), the sixteenth, seventeenth, eighteenth, twenty-eighth and subsequent items in the Schedule to that Section. Section Two from "Sheriff or" to "or Sessions,". Sections Three to Five. Repealed except as to the county of the city of Dublin.
c. 102.	An Act to appoint Commissioners to enquire and examine, until the First Day of August One thousand eight hundred and eleven, into the Nature and Extent of the several Bogs in Ireland, and the Practicability of draining and cultivating them, and the best Means of effecting the same.
c. 104.	An Act to amend several Acts made in the Parliament of Ireland, for granting Life Annuities with Benefit of Survivorship.
c. 105.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and ten an Act of this present Session of Parliament, to suspend the Importation of British or Irish made Spirits into Great Britain or Ireland respectively.
c. 109.	An Act to repeal several Acts respecting the Woollen Manufacture, and to amend other Acts relating to the said Manufacture; and for allowing Persons employed in any Branch of the Woollen Manufacture to set up Trade in any Place in Great Britain.
c. 111.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Conduct of the Public Business in the Military Departments therein mentioned.
c. 114.	An Act for enabling His Majesty to raise the Sum of Three Millions for the Service of Great Britain.
c. 115.	An Act for the Relief of certain Insolvent Debtors in England.

c. 119.	An Act to give to the Persons named by His Majesty, pursuant to an Act passed in the last Session of Parliament, intituled An Act concerning the Administration of Justice in Scotland, and concerning Appeals to the House of Lords, further time for making their Report or Reports.
c. 120. in part.	An Act for amending and reducing into One Act of Parliament the several Laws for raising and training the Militia of Ireland - - - - - } in part; namely,— Sections One and Four. Sections Eight to Eleven, Thirteen, and Fifteen to Twenty. Section Twenty-one from "although" to "for the Captains". Section Twenty-two to "and that". Sections Twenty-five and Twenty-eight. Section Thirty-six from "that all Payments" to "heretofore; and". Section Thirty-eight from "and such Adjutant" to end of that Section. Section Thirty-nine so far as it relates to the length of time and the appointment of the time and place for training and exercise. Sections Forty-two, Fifty to Fifty-three, and Sixty-four to Seventy-three. Section Seventy-seven, the words "the Clerk of the Peace and" and from "and paid" to "Manner,". Section Seventy-eight, the words "Clerk of the Peace or". Section One hundred and twenty-four. Section One hundred and twenty-six from "That the" to "Act, and". Sections One hundred and twenty-seven and One hundred and twenty-eight. Section One hundred and thirty-two from "giving to each Man" to end of that Section. Section One hundred and forty-seven from "and shall be laid" to "thereupon". Section One hundred and forty-nine.
c. 124. in part.	*An Act the title of which begins with the words,*—An Act for altering, amending, and explaining certain Acts relative to the Removal of the Poor,—*and ends with the words,*—Relief and Employment of the Poor - } in part; namely,— The last Section.
c. 126. in part.	An Act for the further Prevention of the Sale and Brokerage of Offices - - - - - } in part; namely,— Section One from "the Master General" to "Ordnance," and from "the Secretary at War" to "Storekeeper General,". Sections Seven and Eight. Section Nine from "or to render" to end of that Section. Sections Twelve and Fifteen.
c. 128.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the Consolidated Fund,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.
50 Geo. 3. c. 1.	An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco, and Snuff, in Great Britain; and on Pensions, Offices, and Personal Estates in England; for the Service of the Year One thousand eight hundred and ten.
c. 2.	An Act for raising the Sum of Ten millions five hundred thousand Pounds, by Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and ten.
c. 3.	An Act for raising the Sum of One million five hundred thousand Pounds by Exchequer Bills, for the Service of Great Britain for the Year One thousand eight hundred and ten.

c. 5.	*An Act the title of which begins with the words,*—An Act to prohibit the Distillation of Spirits from Corn or Grain in Great Britain for a limited Time,—*and ends with the words,*—Spirits into Great Britain or Ireland respectively.
c. 7.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
c. 9.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and eleven, so much of an Act of the Forty-seventh Year of His present Majesty, as allows a Bounty on British Plantation Raw Sugar exported.
c. 11.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and fifteen, several Laws relating to the Encouragement of the Greenland Whale Fisheries.
c. 12.	*An Act the title of which begins with the words,*—An Act to continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Timber for Naval Purposes from the British Colonies in North America, Duty-free.
c. 13.	*An Act the title of which begins with the words,*—An Act to continue an Act, made in the Forty-fourth Year,—*and ends with the words,*—Colonies and Plantations, until the Twenty-fifth Day of March One thousand eight hundred and thirteen.
c. 14.	An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
c. 15.	An Act to grant to His Majesty Duties upon Spirits made or distilled in Ireland from Corn; to allow certain Drawbacks on the Exportation thereof; to make further Regulations for the Encouragement of Licensed Distillers; and for amending the Laws relating to the Distillery in Ireland.
c. 16.	*An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Importation into Ireland, Duty-free, of Corn and other Provisions.
c. 17.	An Act to continue, until the Twenty-fifth Day of March One thousand eight hundred and eleven, an Act for regulating the Drawbacks and Bounties on the Exportation of Sugar from Ireland.
c. 18.	*An Act the title of which begins with the words,*—An Act for further continuing until the Twenty-fifth Day of March,—*and ends with the words,*—Bounties on Sugar when the Duties imposed by an Act of the Forty-sixth Year of His present Majesty shall be suspended.
c. 19.	*An Act the title of which begins with the words,*—An Act for further continuing, until the Twenty-fifth Day of March,—*and ends with the words,*—Importation of other Articles of Provision, without Payment of Duty.
c. 21.	*An Act the title of which begins with the words,*—An Act for amending and continuing so amended,—*and ends with the words,*—Exportation of certain Goods and Merchandize into and from certain Ports in the West Indies.
c. 28.	An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 29.	An Act to amend an Act of the last Session of Parliament, for amending the Irish Road Acts.
c. 31. in part.	An Act for augmenting the Salaries of the Lords of Session, Lords Commissioners of Justiciary, and Barons of Exchequer in Scotland, and Judges in Ireland - - - - - - - - in part; namely,— Section One. Section Two from "to the Lord Chief Baron" to "Two thousand "Pounds;". Sections Three and Four.

c. 37.	An Act for enabling His Majesty to settle an Annuity on His Serene Highness the Duke of Brunswick Wolfenbuttel.
c. 39.	An Act for repaying in certain Cases the Duty paid on the Export of Foreign Plain Linen.
c. 41. in part.	An Act for placing the Duties of Hawkers and Pedlars under the Management of the Commissioners of Hackney Coaches - - - - - } in part; namely,— Sections One to Four, Six to Eleven, Seventeen, and Twenty to Twenty-two. Section Twenty-three from "in any Mart" to "Market Town,". Section Twenty-four to end of Act.
c. 43.	An Act for maintaining and keeping in repair, Roads made and Bridges built in Scotland, under the Authority of the Parliamentary Commissioners for Highland Roads and Bridges.
c. 50.	*An Act the title of which begins with the words,*—An Act to explain and amend an Act made in the last Session,—*and ends with the words,*—Relief and Employment of the Poor.
c. 52.	An Act to amend so much of an Act, passed in the Eighth and Ninth Year of King William the Third, as requires poor Persons receiving Alms to wear badges.
c. 53.	An Act for preventing Frauds relating to the Exportation of British and Irish made Malt from one part of the United Kingdom to the other.
c. 57.	An Act to revive and continue until the Twenty-fifth Day of March One thousand eight hundred and fifteen, an Act of the Twenty-third Year of His present Majesty, for the more effectual Encouragement of the Manufacture of Flax and Cotton in Great Britain.
c. 58. in part.	An Act to amend several Acts for the Redemption and Sale of the Land Tax - - - - - - - - - } :— Except Section Two.
c. 63.	An Act to enable His Majesty to authorize the Exportation of the Machinery necessary for erecting a Mint in the Brazils.
c. 65.	An Act for uniting the Offices of Surveyor General of the Land Revenues of the Crown, and Surveyor General of His Majesty's Woods, Forests, Parks, and Chases.
c. 69.	An Act for raising the Sum of Six Millions by Exchequer Bills, for the Service of Great Britain, for the Year One thousand eight hundred and ten.
c. 70.	An Act to enable the Commissioners of His Majesty's Treasury to issue Exchequer Bills, on the credit of such Aids or Supplies as have been or shall be granted by Parliament for the Service of Great Britain, for the Year One thousand eight hundred and ten.
c. 78.	An Act to repeal an Act made in the Forty-seventh Year of His present Majesty, for suppressing Insurrection, and preventing the Disturbances of the Public Peace in Ireland.
c. 79.	An Act for regulating the Continuance of Licences for distilling Spirits from Sugar in the Lowlands of Scotland.
c. 80.	*An Act the title of which begins with the words,*—An Act for reviving and further continuing until the Twenty-fifth Day of March,—*and ends with the words,*—Fish from Parts of the Coast of His Majesty's North American Colonies, and for granting Bounties thereon.
c. 81.	*An Act the title of which begins with the words,*—An Act to continue until the First Day of August,—*and ends with the words,*—accounting for Public Money in Ireland.
c. 83.	An Act to repeal several Acts respecting the Woollen Manufacture, and for indemnifying Persons liable to any Penalty for having acted contrary thereto.

c. 84. in part.	An Act for augmenting Parochial Stipends, in certain Cases, in Scotland - - - - - } in part; namely,— Section Twenty-four.
c. 85. in part.	An Act to regulate the taking of Securities in all Offices, in respect of which Security ought to be given; and for avoiding the Grant of all such Offices, in the Event of such Security not being given within a Time to be limited after the grant of such Office } in part; namely,— Sections Two to Six. Section Seven, the last three provisoes, and so far as the rest of that Section relates to neglect to cause a memorial to be registered. Section Eight.
c. 87. in part.	An Act to amend Two Acts, relating to the raising Men for the Service of the East India Company; and the Quartering and Billetting such Men; and to Trials by Regimental Courts Martial } :— Except Section Seven. Repealed as to all Her Majesty's Dominions.
c. 88.	An Act to make Provisions for a limited Time respecting certain Grants of Offices.
c. 89.	An Act for defraying, until the Twenty-fifth Day of March One thousand eight hundred and eleven, the Charge of the Pay and Cloathing of the Militia of Ireland, and for making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace.
c. 90.	An Act for defraying the Charge of the Pay and Clothing of the Militia and Local Militia in Great Britain for the Year One thousand eight hundred and ten.
c. 91.	*An Act the title of which begins with the words,*—An Act to revive and continue, until the Twenty-fifth Day of March,—*and ends with the words,*—Militia of England disembodied under an Act of the same Session of Parliament.
c. 92.	An Act for making Allowances in certain Cases to Subaltern Officers of the Militia in Great Britain while disembodied.
c. 94.	An Act for granting to His Majesty a Sum of Money to be raised by Lotteries.
c. 96.	An Act to amend an Act passed in this Session of Parliament, intituled An Act for increasing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.
c. 97.	*An Act the title of which begins with the words,*—An Act to continue until the Fifth Day of July,—*and ends with the words,*—Drawbacks on the Exportation of certain Goods, Wares, and Merchandize into and from Ireland.
c. 98.	An Act for raising the Sum of Two hundred and sixteen thousand Pounds by Treasury Bills for the Service of Ireland for the Year One thousand eight hundred and ten.
c. 100.	An Act for respiting certain Fines imposed on Stills in Ireland.
c. 101.	*An Act the title of which begins with the words,*—An Act for confirming an Agreement for the Purchase of the Prisage and Butlerage of Wines in Ireland,—*and ends with the words,*—Act made in the Forty-sixth Year of His present Majesty's Reign.
c. 102. in part.	An Act for the more effectually preventing the administering and taking of unlawful Oaths in Ireland; and for the Protection of Magistrates and Witnesses in Criminal Cases - - - - - } in part; namely,— Section Ten from "and such" to "Evidence;".

c. 105. in part.	An Act to regulate the Manner of making Surcharges of the Duties of Assessed Taxes, and of the Tax upon the Profits arising from Property, Professions, Trades, and Offices, and for amending the Acts relating to the said Duties respectively } in part; namely,— Sections Four, Six, and Seven.
c. 106.	An Act for regulating the Manner of assessing Lands in certain Cases to the Duties arising from the Profits of Property, Professions, Trades, and Offices, and for giving Relief from the said Duties on Occasion of Losses in other Cases therein mentioned.
c. 107.	An Act to regulate the Examination and Payment of Assignments for Cloathing of His Majesty's Forces.
c. 111.	An Act to limit the Amount of Pensions to be granted out of the Civil List of Scotland.
c. 112. in part.	An Act for abridging the Form of extracting Decrees of the Court of Session in Scotland, and for the Regulation of certain Parts of the Proceedings of that Court } in part; namely,— Section Fourteen. Section Twenty, the words "appointed by the Lord President of the "College of Justice". Sections Twenty-six, Twenty-seven, Thirty-one, Thirty-nine, Forty-four to Forty-seven, Forty-nine, Fifty, and Fifty-three to Fifty-nine. The last Schedule.
c. 113.	An Act for enabling His Majesty to raise the Sum of Three Millions for the Service of Great Britain.
c. 114.	An Act for granting to His Majesty a Sum of Money, to be raised by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of England trading to the East Indies.
c. 115.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty certain Sums of Money out of the Consolidated Fund,—*and ends with the words,*—appropriating the Supplies granted in this Session of Parliament.

CHAPTER 98.

An Act for promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary in Ireland. [10th August 1872.]

WHEREAS with a view to the revision of the statute law and particularly to make the revised edition of the statutes already published applicable to Ireland, it is expedient that certain enactments (mentioned in the schedule to this Act) passed in the Parliament of England, and which by an Act passed in the Parliament of Ireland in the tenth year of the reign of King Henry the Seventh, intituled "An Act con-"firming all the Statutes made in England," were declared

to be good and effectual in the law, and to be accepted, used, and executed within the said land of Ireland, but which have ceased to be in force otherwise than by express and specific repeal, or have, by lapse of time and change of circumstances, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions in the schedule mentioned:

Saving.

Provided, that where any enactment not comprised in the schedule has been confirmed, revived, or perpetuated, by any enactment hereby repealed, such confirmation, revivor, or perpetuation shall not be affected by such repeal;

and the repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated, or referred to;

and this Act shall not affect the validity or invalidity of anything already done or suffered,—or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or existing usage, office, or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, franchise, liberty, custom, privilege, restriction, exemption, usage, or practice, not now existing or in force.

Extent of Act.

2. This Act shall extend to Ireland only.

Short title.

3. This Act may be cited as The Statute Law (Ireland) Revision Act, 1872.

SCHEDULE.

This schedule is to be read as referring to the edition prepared under the direction of the Record Commission, intituled "The Statutes of the Realm; printed by Command of His Majesty King George the Third, in pursuance of an Address of the House of Commons of Great Britain. From original Records and authentic Manuscripts." The dates and chapters of the Statutes and Acts are taken from that edition.

The repeal by the present Act of a part of a Statute or Act set out or referred to in the terms of the translation given in that edition is to operate on the original Latin or Norman-French of which the translation is set out or referred to, as if the original itself were in like manner set out or referred to.

A description or citation of a portion of a Statute or Act is inclusive of the words, section, or other part referred to as forming the beginning, or as forming the end, of the portion comprised in the description or citation.

The edition of Ruffhead referred to is that by Serjeant Runnington, 1786.

SCHEDULE.

HENRY III.

20 Henry 3.—Provisiones de Merton The Provisions of Merton		in part; namely,—
c. 3.	Punishment in cases of Redisseisin. Proceedings by the Sheriff in such cases.	
c. 5.	Usuries shall not run against Minors.	
c. 6.	Unlawful Marriage of Heirs; if under fourteen; if of that age, or above. Disparagement of Wards in Marriage.	
c. 7.	Refusal of Heirs to marry.	
c. 8.	Limitation of Writs. Writ of Right. Writs of Mortdauncestor, &c. Writs of Novel Disseisin.	
c. 11.	Trespassers in Parks, &c.	
20 Hen. 3. (1)—Statutum Hibernie de Coheredibus. The Statute of Ireland concerning Coparceners.		
37 Hen. 3. (2)—Sententia Excommunicationis lata in Transgressores Cartarum. The Sentence of Curse given by the Bishops against the Breakers of the Charters. (3)		
43 Hen. 3. (4)—D' P'visionibus f'cis p' Regē & Consiliū suū. Provisions made by the King and his Council.		
51 & 52 Hen. 3. (5)—Dictum de Kenilworth. The Award made between the King and his Commons at Kenilworth. (6)		
52 Hen. 3.—Statutum de Marleberge The Statute of Marlborough		in part; namely,—
c. 6.	Fraudulent Conveyances shall not deprive Lords of their Wardships. Process and Trial to avoid such Conveyances. Saving of Suits to Feoffees. Damages and Costs upon Malicious Suits by Lords.	

(1) 14 Hen. 3. in Ruffhead's Edition.
(2) 38 Hen. 3. in Ruffhead's Edition.
(3) Inclusive of the Instrument (Protestatio Regis et Magnatum) printed in note (a) 1 Stats. of the Realm 7, but not in Ruffhead's Edition.
(4) Not in Ruffhead's Edition.
(5) 51 Hen. 3. in Ruffhead's Edition (Appendix).
(6) Inclusive of the Instruments printed 1 Stats. of the Realm 18, and intituled respectively "Explanacio dicti de Kenillworthe," and "Addicio Dicti de Kenillworthe."

c. 7.	Of the Writ of Ward and Process thereon. Saving for Heirs within Age.
c. 8.	Of Persons taken for Redisseisin.
c. 11.	No Fines for Beaupleader.
c. 12.	Of days in Court; in Dower; of days in Court in Darrein Presentment, and Quare Impedit. Process in Quare Impedit. Process upon Attachments.
c. 13.	Of Essoins after Issue joined. Proceedings on Default.
c. 16.	The Heir's Remedy after Wardship for Lands withholden. Simple Seisin only shall be taken of an Heir of full Age. The King shall have Primer Seisin of Lands holden of him in chief.
c. 22.	Compelling Freeholders to answer, &c.
c. 24.	Concerning the Attendance of those of 12 Years old on Inquests.
c. 26.	Of the Vouchee to Warranty's Appearance in Court.
c. 27.	Of a Clerk's Bail, on his refusing to answer.
c. 29.	Writ of Entry in the Post.

EDWARD I.

3 Edw. 1.—Les Premers Estatuz de Westmuster - - } in part; namely,—
The Statutes of Westminster; the First - - }

c. 1.	For the maintaining Peace and Justice. For the Ease of Religious Houses Purveyance of Victual. Purveyance for Carriage. Penalty on Offenders. Action by the Party for the King. Process against Offenders. No suit for denying lodging. To whom the Act shall extend. Prelates, &c., restrained in lodging any. Sending Servants, &c., to lodge. Sheriff's Retinue.
c. 3.	No Fines for Escapes before Judgment.
c. 4.	Wreck. Custody of Goods wrecked; for the Owner; for the King. Penalty on Offenders.
c. 7.	Purveyance for Castles.
c. 8.	Beaupleader.
c. 12.	Felons refusing to plead.
c. 14.	Proceedings in Appeal against Principal and Accessary.
c. 17.	The Remedy if a Distress be impounded in a Castle or Fortress. Marches of Wales.
c. 18.	Assessing of Common Fines on the County.
c. 22.	Marriage of Wards. Marriage of Female Wards. Penalty on such Ward refusing Marriage.
c. 23.	Distress for Debts in Cities, &c., against Strangers.
c. 27.	Extortion by Clerks of Justices, &c.
c. 30.	Extortion by Officers of Courts.
c. 32.	Defaults of Purveyors. Purchasing the King's Debts. Purveyance of Horses and Carts.
c. 33.	Barretors in County Courts.
c. 36.	Aids for Knighthood and Marriage.
c. 37.	Disseisin with Robbery; or by Force.
c. 38.	Attaints in Real Actions.
c. 39.	Limitation of Prescription.
c. 40.	Vouchers to Warranty. In Writs of Entry no Voucher out of the Line. Counterpleading to Voucher in Writ of Right.

c. 41. Champion's Oath in a Writ of Right.
c. 42. No Essoin after Appearance.
c. 43. Of Essoins by Parceners, &c.
c. 44. Essoin of Ultra Mare.
c. 45. Process to compel Appearance. Estreats of Issues.
c. 46. Order of hearing Pleas.
c. 47. Nonage of Heirs in Disseisins.
c. 48. Unlawful Feoffment of Lands in Ward. Suit of Prochein Amy.
c. 49. Plea in Dower.
c. 51. Time of taking certain Assizes enlarged.

4 Edw. 1.—Statutum de Bigamis.
The Statute of Bigamy.

4 Edw. 1. (1)—Statut' de Justic' assign'; q'd vocat' Rageman.
A Statute concerning Justices being assigned; called Rageman.

6 Edw. 1.—Statuta Gloucestr' - - - - } in part; namely,—
The Statutes of Gloucester - - - - }

The part preceding c. 1; namely,—
Franchises claimed may be used till Trial had. Proceedings on Claims to Franchises. Seiser of Franchises on Non-appearance. Exception for Want of original Writ. Proceedings on Claim of Franchises by Seisin of Ancestors. Form of Writ. Proceedings on such Writ. Complaint against Bailiffs.

c. 2. No Delay for the Nonage of the Demandant.
c. 3. Alienation by Tenant in Curtesy, void.
c. 4. Remedy by Cessavit against a Tenant in Fee-Farm.
c. 6. One Writ of Mortdauncestor for divers Heirs.
c. 7. Writ of Entry in Casu proviso upon Alienation of Dower.
c. 9. No Writ out of Chancery in certain Cases of Homicide. Of Appeals in Cases of Homicide.
c. 10. One Essoin for Man and Wife.
c. 11. Feigned Recovery in London against a Termor.
c. 12. Vouching a Foreigner in London.
c. 13. Waste restrained pending Suit.
c. 14. Damages upon Disseisins in London.
c. 15. Of Breach of Assize in London.

6 Edw. 1.—Exposition of the Statute of Gloucester.

9 Edw. 1.—Articulus Statuti Glouc̃ p Dñm E. quondam Regem Angl̃, prẽm Regis nunc, Anno Regni sui nono, & Consilium suũ, correctus p Civibꝫ Londoñ de Forinsecis vocatis ad Warrantum in Hustengo Londoñ.

An Article of the Statute of Gloucester by our Sovereign Lord Edward, formerly King of England, Father of the now King, in the ninth Year of his Reign, and by his Council, corrected for the Citizens of London, touching the vouching of Foreigners to Warranty in the Hustings in London.

11 Edw. 1.—Statut̃ de Mercatoribꝫ.
The Statute of Merchants. (2)

(1) In Ruffhead's Edition placed among the Statutes of Uncertain Date.
(2) Otherwise the Statute of Acton Burnel.

13 Edw. 1.—Statuta Reg' Edwardi edita apud Westmon in Parleamento suo, Pasch Anno Regni sui T'ciodecimo: —xiij° - - - - - - Statutes of King Edward, made at Westminster in his Parliament, at Easter, in the Thirteenth Year of his Reign - - - - -	in part; namely,—
c. 3.	A Cui in vita for the Wife, where her deceased Husband lost by Default. Receipt of the Wife upon the Husband's default. Receipt of him in the Reversion.
c. 4.	The Wife endowable of Land recovered against her Husband by Default, &c. Remedy for Tenants for Life, &c. who lose their Land by Default. Writ for the Heir on Dower recovered during his Minority. Writ of Dower after Dower lost by Default. Writs for other particular Tenant after Default. For Tenant in Frank-marriage. For Tenant for Life. For Tenant in Tail.
c. 6.	The Penalty where the Vouchee denieth his Warranty. A Venire facias at the Demandant's Request.
c. 7.	Admeasurement of Dower for Guardian or Heir. Process thereon, and in Admeasurement of Pasture.
c. 8.	The Remedy upon a Second Overcharge of Pasture. Writs de Secunda Superoneratione shall be inrolled. And Writs of Redisseisin.
c. 9.	The Writ of Mesne, and new Process therein. The Mesne forejudged of his Fee and Services in Default of Appearance. The Tenant holding by less Service than the Mesne doth. Proceedings when the Mesne doth appear. Damages in a Writ of Mesne. The Tenants may have Warranty of the Mesne, &c. For what Mesne Tenants this Statute is ordained.
c. 11.	On Testimony of Auditors Accomptants may be committed to Prison. Proceedings may be removed into the Exchequer. An Exigent against an Accomptant. The Sheriff or Gaoler answerable on the escape of an Accomptant.
c. 12.	Punishment of an Appellor for a false Appeal. A Year's Imprisonment. Inquiry of Abettors of Appeals and their Punishment. No Essoin for the Appellor.
c. 16.	Priority of Feoffment giveth title of Wardship.
c. 17.	Of the Essoin De malo lecti.
c. 20.	The Tenant's answer in a Writ of Cosinage, Aiel, and Besaiel.
c. 21.	Writ of Cessavit for Services in Arrear. For the Heir against Heir or Alienee.
c. 24.	Writs in consimili Casu. Quod permittat by Successor of a Parson. Juris utrum by one Church against another. The clerks in Chancery shall devise Writs in consimili Casu.
c. 25.	Of what Things an Assize of Novel disseisin shall lie, whereof it lay not before. Remedy on Alienation by Tenant for Years, or in Ward. Penalty for failing of an Exception pleaded by Defendant: double Damages, and Imprisonment. Proceedings on pleading Exceptions by a Bailiff. In what Case a Certificate of Assize doth lie. Proceedings on Deeds not pleaded by reason of Defendant's Absence. Sheriff's Fee.
c. 26.	Double Damages in Writs of Redisseisin. Writs of Redisseisin on Recovery by Default, &c.
c. 27.	Essoin after Issue, but none after day given, Prece partium.
c. 28.	No Essoin for Demandant.
c. 38.	How many and what Sort of Persons shall be returned in Juries or Petit Assizes. Exception as to great Assizes. Sheriffs or Officers offending.
c. 40.	A Woman's Suit not deferred by the Minority of the Heir.

c. 43. Hospitallers and Templars shall draw no Man into Suit belonging to the King's Court.

c. 44. The Fees of Porters and Vergers. Cyrographers. Clerks writing original Writs. Punishment of Offenders.

c. 46. Lords may approve against their neighbours usurpation of Commons.

c. 47. Penalty for taking Salmons at certain times of the year.

c. 48. In what Cases a View of Land is grantable.

13 Edw. 1.—Statutum Mercatorum.
The Statute of Merchants.

13 Edw. 1.—Statutū Circumspecte Agatis - - - - - } in part; namely,—
The Statute of Circumspecte Agatis - - - }

(1.) So much of the Provision beginning "And for laying," and ending "an Oath," as relates to laying violent Hands on a Clerk, and to Cause of Defamation.

(2.) From "And if any lay violent Hands" to the End of the Statute.

13 Edw. 1.—Forma Confirmationis Cartarum.
The Form of Confirmation of Charters.

13 Edw. 1.—Stat. Wynton.
The Statute of Winchester, except the last clause of chap. 6. Fresh suit shall be made after Felons from town to town. Inquests of Felonies. The Hundred answerable for Robberies. The County shall have but 40 days. Commencement of this Statute. At what time the gates of towns shall be opened and shut. Lodgers in the suburbs. At what time of the night watch shall begin and end. Strangers may be arrested by the Watch or hue and cry after them. Highways to Market Towns shall be enlarged. The Lord answerable. Parks adjoining Highways. What armour each person shall have in his house. View of Arms. Presentment of Offences against the statute. Fairs and Markets shall not be kept in Churchyards.

20 Edw. 1.—D'presentibꝫ vocatis ad Warantū.
Of persons vouched to Warranty who are present.

20 Edw. 1.—Statutum de Vasto.
A Statute of Waste.

20 Edw. 1.—Statutuſm de Defensione Juris.
The Statute of Defending Right.

20 Edw. 1. (1)—Statute of Writs for making Inquisitions of Lands to be put in Mortmain.

20 Edw. 1. (2)—A Statute of amortising Lands.

25 Edw. 1. (3)—Magna Carta de lib'tatibꝫ Angl', & de lib'tatibꝫ Foreste; co'firmata a R. Edwardo; Anno r' sui vicesimo q'nto. xxv^to - - - - - - - - - } in part; namely,—
The Great Charter of the Liberties of England, and of the Liberties of the Forest; confirmed by King Edward in the Twenty-fifth year of his Reign - - }

c. 2. Reliefs; of Earls, Barons, Knights.

c. 3. Wardship. Infant made Knight.

c. 4. Waste during Wardship. Sale or Gift of Wardship.

c. 5. Sustaining Lands in Wardship. Custody of Spiritual Dignities.

c. 6. Marriage of Heirs.

c. 13. Assizes of Darrein presentment.

c. 19. Purveyance for a Castle.

(1) In Ruffhead's Edition placed among the Statutes of Uncertain Date.
(2) 34 Edw. 1. Stat. 3. in Ruffhead's Edition.
(3) 9 Hen. 3. in Ruffhead's Edition.

c. 20.	Castle Ward.
c. 21.	Purveyance for Carriage.
c. 24.	Writ of Præcipe.
c. 27.	Where the King shall not have Wardship.
c. 28.	Wager of Law.
c. 31.	Baronies escheated to the King. Wardship therein.
c. 33.	Custody of vacant Abbies.
c. 34.	Appeal of Death by a Woman.
c. 36.	Fraudulent Gifts in Mortmain.
c. 37. in part.	Escuage. General Saving. Observance of these Liberties. Subsidy in respect of this Charter and Charter of the Forest:— Except from "Reserving" to the end.

25 Edw. 1. (1)—Sententia lata super Confirmatione Cartarum.
The Sentence of the Clergy given on the Confirmation of the Charters.

27 Edw. 1.—Statutum de Finibus levatis - - - -
The Statute of Fines levied - - - - } in part; namely,—
The Enacting Part preceding Chapter One.

c. 1.	Exception to a Fine, that the Demandant was always seised, shall not be admitted. Fines shall be read in open Court.
c. 2.	How Sheriffs shall be charged with Issues. Sheriffs shall make Tallies of Payments. Return of Mainpernors, Jurors, and Pledges. One Baron shall yearly inroll Payments in every County, and hear Complaints against Sheriffs.

28 Edw. 1.—Articuli super Cartas - - - - -
Articles upon the Charters - - - - - } in part; namely,—

c. 1.	Confirmation of the Great Charter and the Charter of the Forest. Commissioners to inquire of Offences done contrary to the Charters. Officers shall be attendant upon the Commissioners.
c. 2.	Purveyors. What they shall take. Payment thereof. Purveyors to show their Warrant; to take no more than is needful; to answer for things taken. Punishment for undue Purveyance. Taking without Warrant, Felony. Purveyances made for the King's Wardrobe. Saving as to antient Prises.
c. 4.	No Common Pleas in the Exchequer.
c. 7.	Of the Jurisdiction of the Constable of the Castle of Dover.
c. 8.	Election of Sheriffs.
c. 9.	How Juries are to be impanelled.
c. 14.	Of farming Bailiwicks and Hundreds.
c. 15.	Summons and attachments in Plea of Land.
c. 17.	Statute of Winchester enforced.
c. 18.	Remedy against Escheators for Wastes in Wardships.

28 Edw. 1.—Statutum de Appellatis.
A Statute for Persons appealed.

34 Edw. 1.—Statutum de conjunctim Feoffatis - - - - }
The Statute of Joint Tenants - - - - } :—
Except from "Forasmuch also as Pleas" to the end.

35 Edw. 1.—Statutum Karlioli. (2)
The Statute of Carlisle.

(1) 25 Edw. 1. Stat. 2. in Ruffhead's Edition.
(2) Statutum de Apportis Religiosorum in Ruffhead's Edition.

EDWARD II.

2 Edw. 2. (1)—De prisis injust non capiend' a viris Ecclesiastic' seu aliis.
Of the not taking undue Prises from ecclesiastical Persons or others.

3 Edw. 2.—Statutum apud Staundford.
The Statute of Stamford.

9 Edw. 2. Stat. 1.—Articuli Cleri - - -
Articles for the Clergy - - } in part; namely,—
Statute the First - -

c. 4.	Defamation.
c. 10.	Protection of Persons fleeing unto the Church and abjuring the Realm.
c. 11.	Religious Houses not to be unduly charged with Corodies, Pensions, &c.
c. 12.	The King's Tenant excommunicate not privileged.
c. 15.	A Clerk shall not be compelled to abjure.
c. 16.	The Privilege of the Church shall not be denied to a Clerk becoming an Approver.

10 Edw. 2. (2)—De Statuto p' Clero inviolabilit' obs'vād.
Of inviolably observing the Statute for the Clergy.

12 Edw. 2.—Statutū Eborac' - - -
The Statute of York - - } in part; namely,—

c. 1.	Tenants in Novel disseisin may make Attorney. Pleading by Bailiffs.
c. 2.	Inquests shall not be delayed by the absence of Witnesses to Deeds.

14 Edw. 2.—Statutum Westm' iiij.
The Statute of Westminster; the Fourth. (3)

16 Edw. 2.—Statutum de forma mittendi Extractas ad Scaccarium.
A Statute for Estreats of the Exchequer.

17 Edw. 2. Stat. 1. (4)—Ordinacio de Statu T're Hib'n' f'ca.
Ordinance made for the State of the Land of Ireland.
Statute the First.

c. 1.	The King's officers in Ireland shall purchase no land there without the King's licence.
c. 2.	In what case only Purveyance may be made in Ireland.
c. 3.	Exporting of Merchandise out of Ireland.
c. 4.	Fees of a Bill of Grace.
c. 5.	Fee of the Marshal.
c. 6.	Pardons and Protections.
c. 7.	The Sealing of Writs.
c. 8.	Adjournments of Assizes of Novel dissaisin.

STATUTES OF UNCERTAIN DATE.

Les Estatuz del Eschekere - -
The Statutes of the Exchequer (5) - } in part; namely,—

c. 1.	All Bailiffs, &c. shall account in the Exchequer.
c. 2.	At what time they shall account.
c. 3.	How Bailiffs of Franchises shall account.
c. 4.	Accounts of the Justice of Chester and Bailiffs of the Isles.

(1) Not in Ruffhead's Edition. (3) 3 Edw. 2. in Ruffhead's Edition.
(2) Statutum de Vicecomitibus et aliis de viridi cera, in Ruffhead's Edition.
(4) 17 Edw. 1. in Ruffhead's Edition. (5) 51 Hen. 3. Stats. 4. and 5. in Ruffhead's Edition.

c. 5.	Sheriffs (except in five Counties) shall keep the King's Wards and Escheats in their Shires.
c. 6.	Three Surveyors of Wards, &c. Wards and Escheats let to Farm.
cc. 7, 8.	Foreign Sheriffs Escheators in the five excepted Shires. (1)
c. 9.	Duty of the Surveyors.
c. 10.	Collectors of the Customs on Wools.
c. 11.	Keeper of the Wardrobe.
c. 13.	Order of accounting.
c. 14.	Deputy Officers in the Exchequer.
c. 15.	Deputy Officers shall be sworn. Punishment of Officers for Misconduct.
c. 16.	Offences shall be certified.
c. 17.	Yearly Search as to deficient Accountants.
c. 18.	Surveyors of the King's Works to prevent false Allowances, &c.
c. 19.	Estreats of Fines and Amerciaments shall be delivered into the Exchequer.
	Also the following portions of the Provisions inserted between c. 13 and c. 14, and headed Districciones de Scaccario (2); namely,— (1.) From "And if any bring" to "Pledges." (2.) From "Howbeit" to "Receipt."
	Assisa Panis et Cervisie. The Assize of Bread and Ale. (3)
	Statutum de Pistoribus, &c. - - - Statute concerning Bakers, &c. - - - } :— Except from "The Toll of a Mill" to "and if they do otherwise, they shall be grievously punished." (4)
	Assisa de Ponderibz et Mensuris. The Assize of Weights and Measures (5).
	De Dimissione (seu Divisione) Denariorum (6).
	Statutum de Admensuratione Terre. Statute for the Measuring of Land (7).
	Compositio Ulnarum & Perticarum (8).
	Dies Communes de Banco. General Days in Bank (9).
	Dies Communes de Dote. General Days in Dower (10).
	Prohibitio formata de Statuto Articuli Cleri. A Prohibition made upon the Articles of the Clergy.
	Les Estatuz de Excestre. The Statutes of Exeter (11).
	Statut' sup' Vic' t clicos suos. Statute concerning the Sheriff and his Clerks (12).
	Modus levandi Fines. The Manner of levying of Fines (13).

(1) Inclusive of the part relating to the Justices of Chester and their Bailiffs.
(2) 51 Hen. 3. Stat. 4. in Ruffhead's Edition. (3) 51 Hen. 3. Stat. 1. in Ruffhead's Edition.
(4) The excepted part forms Chapter 4. in Ruffhead's Edition (vol. 1, page 186).
(5) 31 Edw. 1., Tractatus de Ponderibus et Mensuris, in Ruffhead's Edition.
(6) 1 Stats. of the Realm, 204, n. †; 1 Ruffhead, 189. (7) 33 Edw. 1. Stat. 6. in Ruffhead's Edition.
(8) Stats. of the Realm, 206, n. (9) 51 Hen. 3. Stat. 2. in Ruffhead's Edition.
(10) 51 Hen. 3. Stat. 3. in Ruffhead's Edition.
(11) 14 Edw. 1., in two Instruments, respectively intituled "Statutum Exonie" and "Articuli Statuti Exonie," in Ruffhead's Edition.
(12) Not in Ruffhead's Edition. (13) 18 Edw. 1. Stat. 4. in Ruffhead's Edition.

	Statut' de finibꝫ et attornatis. Statute concerning Fines and Attornies (1).
	Statutū de Proteccionibꝫ nō alloc'. Statute against allowing Protections (2).
	Modus calumpniandi Esson'. The Manner of challenging Essoins (3).
	Statutum de visu ℞re & essoñ de servicio dñi Regis. Statute for View of Land; and Essoin in the King's Service.
	Statutū de magnis Assis' et duellis. Statute concerning the great Assises and Battles.
	Statutū de Gaveleto in London. The Statute of Gavelet in London (4).
	Prerogativa Regis - - - - Of the King's Prerogative (5) - - - - } in part; namely,—
c. 1.	Wardship of Heir of the King's Tenant in Chief.
c. 2.	Marriage of Heir of the King's Tenant.
c. 3.	Primer Seisin of Land of the King's Tenant.
c. 4. (6)	Assignment of Dower to Widows of King's Tenants. Of their Marriage.
c. 5. (6)	Marriage of Heiresses.
c. 6. (7)	Homage for Lands, holden of the King, descending to Coparceners.
c. 7. (7)	Wardship of Women married under Age.
c. 8. (7)	Alienation of Lands holden in Chief.
c. 9. (8)	Alienation of Serjeanties.
c. 14. (9)	Escheats of Lands descended to Aliens.
c. 15. (10)	Intrusion of the King's Tenant before Homage.
	Modus faciendi Homagium ℔ Fidelitatem - - - - The Manner of doing Homage and Fealty (11) - - - - } :— Except from "When a Freeman shall do Fealty" to the end.
	Statutū de respectu Milit' n'endo. Statute for respiting of Knighthood (12).
	Statuta Armorum. The Statutes of Arms.
	Statutū de Sacram'to Mi'stror' Reg'. Statute for Oaths of the King's Officers in the Eyre (13).
	Capitula Itineris. The Articles of the Eyre (14).
	Capitula Escaetrie. Articles of the Office of Escheator (15).
	Extenta Manerii. For extending or surveying a Manor (16).

(1) 15 Edw. 2., Statutum de Carleol. de Finibus, in Ruffhead's Edition.
(2) 33 Edw. 1. Stat. 1. in Ruffhead's Edition. (3) 12 Edw. 2. Stat. 2. in Ruffhead's Edition.
(4) 10 Edw. 2. in Ruffhead's Edition. (5) 17 Edw. 2. Stat. 1. in Ruffhead's Edition.
(6) These two Chapters form Chapter 4. in Ruffhead's Edition.
(7) These three Chapters form Chapters 5. and 6. in Ruffhead's Edition.
(8) Chapter 7. in Ruffhead's Edition. (9) Chapter 12. in Ruffhead's Edition.
(10) Chapter 13. in Ruffhead's Edition. (11) 17 Edw. 2. Stat. 2. in Ruffhead's Edition.
(12) 1 Edw. 2. Stat. 1. in Ruffhead's Edition.
(13) Articuli et Sacramenta Ministrorum Regis in Itinere Justiciariorum, in Ruffhead's Edition.
(14) Inclusive of the part headed "Incipiunt Capitula Nova," &c. No part of this Instrument is in Ruffhead's Edition. (15) Not in Ruffhead's Edition. (16) 4 Edw. 1. in Ruffhead's Edition.

Articuli Inquisic' super Statut' Wynton.
Articles of Inquiry, upon the Statute of Winchester (1).

Le S'ement du Visconte.
The Oath of the Sheriff (2).

Forma Juramenti' illor' de cons' R.
Form of the Oath of those of the King's Council (3).

Juramentū Ep'or'.
The Oath of the Bishops (3).

Juramentum Escaetorum.
The Oath of Escheators (3).

Abjuratio et Juramentum Latronum.
The Abjuration and Oath of Thieves. (3).

EDWARD III.

1 Edw. 3. Stat. 1.—Statuta f'ca apud Westm̄ in P'liamento R. Edwardi T'cii post Conquestorē anno r. sui p'mo - - Statutes made at Westminster; In the Parliament of K. Edward the Third, after the Conqueror; In the First Year of his Reign - - - - - Statute the First - - - - - - in part; namely,—

c. 6. An Attaint as well upon the Principal, as upon the Damages, in Trespass.

c. 7. Inquiry concerning Gaolers compelling Prisoners to appeal.

1 Edw. 3. Stat. 2.—Statute the Second - - - - - - in part; namely,—

c. 1. Confirmation of the Charters. Perambulations of Forests.

c. 2. in part. House-boot and Hey-boot within the Forest. Seising of Bishop's Temporalities, except from the beginning to "Forresters."

c. 3. The late King's pardon of Issues and Amerciaments. The Jews Debts pardoned.

c. 4. King's Debts shall be paid according to the Debtor's Estates.

c. 5. Of Military Service.

c. 6. Abuses in taxing Aids to the King.

c. 7. Charges in the Conveyance of Soldiers.

c. 8. Stat. Marlb., 52 Hen. III., chapter 11, confirmed.

c. 10. The King's Demand of Corodies, &c.

c. 11. Prohibition to the Spiritual Court in Suits against Indictors for Defamation.

c. 12. Fine for Alienation of Lands holden of the King.

c. 13. Purchasing of Lands holden of the King as of some Honour.

c. 15. None shall be bound by Writing to come with Arms to the King.

2 Edw. 3.—Statutū editū apud Norh't, anno r. R. E. t'cii post conquestū sc'do - - - - - Statute made at Northampton; In the Second Year of the Reign of K. Edward the Third after the Conquest - - - - - - in part; namely,—

c. 1. The Charters.

c. 2. in part. Pardon for Felony. Justices of Assise and Gaol-delivery. Oyers and Terminers:—
From "It is ordained" to "Misfortune."

(1) 34 Edw. 1. Stat. 2. in Ruffhead's Edition.
(2) This follows 34 Edw. 1. Stat. 5. in Ruffhead's Edition.
(3) Not in Ruffhead's Edition.

c. 6.	The Statute of Wynton, 13 Edw. 1., confirmed, &c.
c. 7.	Justices assigned to inquire of Felonies, Robberies, &c.
c. 9.	All Staples shall cease.
c. 10.	Pardon of Fines for Writs in Chancery.
c. 11.	The Common Bench not to be removed without Warning.
c. 13.	Trespass in the late King's Time.
c. 17.	Writ of Deceit.

4 Edw. 3.—Statutū editū apud Westm̄, anno regni R. E. t'cii post conquest' quarto - - - - - } Statute made at Westminster; in the Fourth Year of the Reign of K. Edward the Third after the Conquest - - - - - - } in part; namely,—

c. 1.	Charters and Statutes confirmed.
c. 3.	Purveyance.
c. 4.	The Statute 28 Edw. 1. c. 2. touching Purveyors confirmed.
c. 5.	Pardon for certain Fines and Grants.
c. 6.	The Statute 35 Edw. 1. st. 1. confirmed.
c. 8.	Fare of Passages at the Ports.
c. 10.	Sheriffs and Gaolers shall receive Offenders without taking anything.
c. 12.	Wines shall be essayed and sold at reasonable Prices.
c. 13.	Confirmation of the Statute 2 Edw. 3. c. 2. touching Pardons.
c. 14.	Annual Parliaments.
c. 15.	Sheriffs shall let their Hundreds for the old Ferm.

5 Edw. 3.—Statutū editum apud Westm̄, anno regni R. Edwardi t'cii post Conquestum quinto, vto. quinto - } Statute made at Westminster; in the Fifth Year of the Reign of K. Edward the Third after the Conquest - - - - - - } in part; namely,—

c. 1.	The Charters.
c. 2.	Purveyance. Recital of Statute 4 Edw. 3. c. 3, 4., 28 Edw. 1. c. 2. Tallies of Purveyance, Form of Commissions. Inquests taken in the Marshal's Court. Error in the Marshal's Court.
c. 3.	The Statute 35 Edw. 1. st. 1. confirmed.
c. 6.	Process in Attaint.
c. 7.	Attaint in Trespass, if the Damage pass Forty Shillings.

9 Edw. 3. Stat. 1.—Rotul' de Statuto edito apud Ebor'; anno r. r. E. t'cii post Conquestū nono - - - - - } Roll of the Statute made at York; in the Ninth Year of K. Edward the Third after the Conquest - } Statute the First - - - - - } :—

Except Chapter Three—Executors shall not fourch by Essoin. Process against Executors. Judgment against all where some only plead.

10 Edw. 3. Stat. 1.—Anno X^mo, Statute the First.

10 Edw. 3. Stat. 2.—Statute the Second.

11 Edw. 3.

14 Edw. 3. Stat. 1.—Statute the First - - - in part; namely,—

c. 2.	The King's Pardon of Chattels of Felons, of Fines, &c.
c. 3.	Pardon of divers Debts, &c. due to the King.
c. 4.	Engleschrie and Presentments thereof abolished.

c. 5.	Commissioners appointed to redress Delays, &c., of Courts of Justice. Adjournment shall be into Parliament in case of Difficulty. Chancellor, Judges, &c., shall take Oaths of Office.
c. 10.	Sheriffs shall have the keeping of the Gaols.
c. 11.	Clerks of Statutes Merchant shall be resident and sufficient.
c. 12.	One Measure and One Weight throughout England. Standards to be sent into every County. Persons shall be assigned to survey Measures; who shall levy the Penalties, &c. Saving for the Clerk of the Market; and Lords of Franchises.
c. 13.	Escheators shall not commit Waste in Lands of the King's Wards. Return of Extent into Chancery. The Next of Kin to the King's Ward may take his Land in Ferm. Action of Waste against the Fermors.
c. 15.	No Pardon for Felony inconsistent with the King's Oath.
c. 17.	Juris Utrum.
c. 18.	Demandant may aver the Death of the Vouchee.
c. 19.	Purveyances for the Royal Houses to be by Warrant. Purveyors to take nothing without the Owners Consent. Purveyance for the Wars. Purveyance for the King's Horses. Purveyance for the King's Dogs.
c. 20.	A subsidy granted to the King, of the Ninth Lamb, the Ninth Fleece, and the Ninth Sheep. In Cities and Boroughs of the Ninth part of all Goods. Elsewhere of the Fifteenth. Poor Persons excepted.
c. 21.	A subsidy granted to the King on Wool, Woolfells, and other Merchandise exported, for a certain Period. The old Custom only to be taken afterwards. Exporters of Wool shall give Surety to import Silver in Return. Cocketing Wools. No other Custom shall be levied but by assent of Parliament.

14 Edw. 3. Stat. 2.—Statute the Second.

14 Edw. 3. Stat. 4.—Statute the Fourth.

15 Edw. 3. Stat. 2.—Statute the Second.

15 Edw. 3. Stat. 3.—Statute the Third.

18 Edw. 3. Stat. 2.—Ordinac'ões in P'liamento apud Westm̃ anno regni D'ni E. Regis Angl' & Franc', videl't Angl' decimo octavo & Franc' quinto tento f'ce - - - Ordinances made in the Parliament holden at Westminster, in the Year of the Reign of our Sovereign Lord Edward, King of England and of France, to wit of England the Eighteenth, and of France the Fifth - - - - - - - Statute the Second - - - - - - - } in part; namely,—

	Grant to the King of Two Fifteenths and Two Tenths by the Commons.
c. 1.	Commissions of new Inquiries repealed; saving for Indictments for certain Offences already commenced.
c. 3.	All Persons may buy Wools. The Sea open to all Merchants.
c. 4.	Commissions to assay Weights and Measures repealed. Commissioners to account.
c. 6.	New Money. Gold and Silver to be coined at York, &c. Places of Exchange. Exchanges ascertained.
c. 7.	Confirmation of the Statutes regulating Purveyance and the Court of the Marshalsea. Pay of Soldiers.

18 Edw. 3. Stat. 3.—Ordinac'ões in P'liamento apud Westm̃ anno regni D'ni E. Regis Angl' & Franc', videl't Angl' decimo octavo & Franc' quinto tento f'ce
Ordinances made in the Parliament holden at Westminster, in the Year of the Reign of our Sovereign Lord Edward, King of England and of France, to wit of England the Eighteenth, and of France the Fifth
Statute the Third
} in part, namely:—

c. 4. Exemption of the Clergy from Purveyance.

c. 6. Commissions, to inquire of Spiritual Judges, repealed.

c. 7. No Scire facias against a Clerk for Dismes. Saving of the King's Right.

20 Edw. 3.—D' pclamando Ordinacõem fcam sup Justic̃ P
Ordinance for the Justices
} in part; namely,—

c. 5. Lords and Great Men shall put away Maintainers of Quarrels.

23 Edw. 3.—The Statute of Labourers (1).

25 Edw. 3. Stat. 2. (2)—Statuta in P'liamento tento apud Westm̃, in Octavis Purificac'õis b'e Marie Virginis anno regni D'ni Edwardi Regis Anglie & Francie, Angl' videlicet vicesimo quinto, regni vero sui Francie duodecimo.
Statutes in the Parliament holden at Westminster, in the Octave of the Purification of the Blessed Virgin Mary; in the Year of the reign of our Sovereign Lord Edward, King of England and of France, to wit of England the Twenty-fifth, and of his Reign of France the Twelfth.
Statute the Second.

25 Edw. 3. Stat. 3. (3)—Statute the Third.

25 Edw. 3. Stat. 5.—Statutũ apud Westm̃ in P'liamento in festo S'ci Hilarii anno regni Regis E. t'cii vicesimo q'nto tento, f'cam
A Statute made at Westminster; in the Parliament holden in the Feast of St. Hilary; in the Twenty-fifth Year of the Reign of K. Edward the Third
Statute the Fifth
} in part; namely,—

c. 1. Corn shall be taken by Purveyors by Measure striked. Things taken by Purveyors shall be appraised at the very Value. Tallies of the Goods taken. Punishment for undue Purveyance under Stat. 5 Edw. 3. c. 2. Purveyors' Commissions shall be under the Great or Privy Seal.

c. 6. Purveyors shall not take Trees about the Mansion.

c. 8. No finding of Men of Arms, but by Tenure or Grant in Parliament.

c. 9. Auncel Weight abolished. Goods shall be weighed by Balance.

c. 10. Magna Carta, Chapter 25, respecting Measures recited and enforced. Justices shall inquire of and punish the Offenders. Saving of Franchises.

c. 11. Aid to make the King's Son Knight, and to marry his Daughter.

c. 12. None shall take Profit by exchange of Gold or Silver.

c. 13. The current Coin shall not be impaired.

c. 15. The Penalty of Purveyors taking more Sheep before Shearing Time than are wanted.

c. 16. Exception of Nontenure of Parcel.

c. 17. Process of Exigent in Debts, Detinue, and Replevin.

c. 18. Villainage may be pleaded, and a Villaine seized, pending a Writ of Libertate probanda.

(1) Inclusive of the Conclusion of this Ordinance printed 1 Stats. of the Realm, 309, being Chapter 8. in Ruffhead's Edition.
(2) Stat. 1. in Ruffhead's Edition.
(3) Stat. 4. in Ruffhead's Edition.

c. 19.	The King's Debtors suable notwithstanding Protections. Stay of Execution until payment of King's Debt; or the Creditors undertake for it.
c. 20.	Plate shall be received at the Mint and Coin delivered by Weight.
c. 21.	Abuses by the King's Butlers in Purveyance of Wine. Regulations therein. Punishment of the Butlers.
c. 23.	Companies of Lombards answerable for the Debts of their Fellows.

25 Edw. 3. Stat. 6. (1)—Ordinancio p' Clero f'c'a apud Westm̄, anno r. R. E. t'cii vicesimo quinto - - - - - } in part; namely,—
An Ordinance for the Clergy, made at Westminster in the Twenty-fifth Year of the Reign of K. Edward 3. } in part; namely,—
Statute the Sixth - - - - - - }

c. 2.	A repeal of the Statute of 14 Edw. 3. Stat. 4. cap. 2., touching the King's Presentation to a Church, in another's Right.
c. 6.	Bishops' Temporalities shall not be seized for a Contempt.

25 Edw. 3. Stat. 7.—Statutum de Forma levationis Decime quinte.
The Statute of the Form of levying of the Fifteenth.
Statute the Seventh.

25 Edw. 3.—Articulus p̄ Clero respectuat' usq; p̄x̄ pliam̄.
This Article for the Clergy is respited until the next Parliament (2).

27 Edw. 3. Stat. 1.—Statutū cont' adnullatores Judicior' Cur' Regis; f'c'm Anno xxvij. - - - - - - } in part; namely,—
A Statute against Annullers of Judgments of the King's Court; made in the Twenty-seventh Year - - } in part; namely,—
Statute the First - - - - - }

c. 4.	The Mischief resulting from Forfeiture of Cloths not measuring the Assize: the King's Release of such Forfeitures. Cloths under the Assize shall be allowed for in Price. Aulnager's Fee for every Cloth and half Cloth sold. A Subsidy granted to the King of every Cloth. Cloths put to Sale not sealed shall be forfeited.
c. 6.	Merchants may bring their Wines to English ports.

27 Edw. 3. Stat. 2.—Ordinacio Stapularum.
The Ordinance of the Staples.
Statute the Second.

28 Edw. 3.—Statutum de anno vicesimo octavo Reg' E. tercij - } in part; namely,—
The Statute of the Twenty-eighth Year of King Edward 3. - - - - - } in part; namely,—

c. 1.	Charters and Liberties confirmed.
c. 4.	How the King shall be satisfied of the mean Rates of those Lands which come to his Hands by the Death of his Tenants.
c. 5.	Iron shall not be exported. Price of Iron.
c. 8.	Attaint given in all Cases of Trespass.
c. 11.	Increase of Murders and Robberies. Confirmation and Amendment of the Statute of Winchester, 13 Edw. 1. chapter 1, 2.
c. 12.	Purveyances to the King's Use under xx. s. shall be paid for directly: All others within a Quarter of a Year.
c. 13.	The Statute of the Staple 27 Edw. III. Statute 2. confirmed, with certain Amendments. Warranty of packing of Wools repealed. All Inquests shall be de Medietate Linguæ, wherever Aliens are Parties. The Freedom of Alien Merchants secured in coming to England and selling their Goods. Penalty on forestalling Foreign Merchandise. Customs shall be paid only for Goods sold.
c. 14.	Shewing of Wools at the Staple; on what Days; within what Distance of the Staple. Saving of Home-grown Wools.

(1) Stat. 3. in Ruffhead's Edition.
(2) This follows Chapter 9. of 25 Edw. 3. Stat. 3. in Ruffhead's Edition.

31 Edw. 3. Stat. 1.—Statut' editū apud Westm' die Lune p'x' post septimanā Pasche, Anno xxxj - - - - - The Statute made at Westminster, the Morday next after the Feast of Easter, in the Thirty-first Year - Statute the First - - - - - } in part; namely,—

c. 1. Charters confirmed.

c. 4. Extortion of Bishop's Officers on Probate of Testaments. The Bishops shall amend the same; or the King's Justices shall enquire thereof.

c. 6. Fines from Labourers given to Lords of Franchises.

c. 7. Statute of Labourers extended to London, &c. Justices assigned to try Offences against the Staple.

c. 8. Exportation of Wool permitted for a limited Time. Refuse of Wool. Contents of Sack and Stone of Wool. Wools brought to the Staple; if not sold within Fifteen Days, may be exported, &c.

c. 10. The Mayor and Aldermen of London may reform the Defaults of Victuallers there.

c. 12. Error from the Exchequer shall be examined by the Chancellor and Treasurer.

c. 13. The King's Pardon to the Commons of the Escapes and Chattels of Felons. A Grant to the King of a Fifteenth; Free from Queen-gold.

31 Edw. 3. Stat. 4.—Ordinacio facta p' statu t're Hibn'.
An Ordinance made for the Estate of the Land of Ireland.
Statute the Fourth.

34 Edw. 3.—Statutū fc'm in P'liamēto tento apud Westm̄; anno xxxiiij^to - - - - - - - A Statute made in the Parliament holden at Westminster; in the Thirty-fourth Year - - } in part; namely,—

c. 2. No Purveyance, except for the King, the Queen, and the King's eldest Son.

c. 3. When Purveyances, &c. for the Queen, &c. shall be paid for.

c. 5. Justices of the Peace shall inquire of Weights and Measures, according to the Statute 25 Edw. 3. stat. 5. ch. 9.

c. 6. All measures shall be according to the King's standard, &c. Contents of the Quarter measures of corn shall be striked saving the rents of Lords Justices shall be assigned to enquire thereof. Saving of Franchises. Proclamation thereof.

c. 7. An Attaint in Plea Real.

c. 9. Labourers shall not be punished by Fine under the Statute 25 Edw. 3. Stat. 2. c. 5., but only by Imprisonment. Penalty on bailing them. Carpenters and Masons included. Wages of Carpenters and Masons. Their Conspiracies annulled.

c. 10. Punishment of fugitive Labourers; Process of Outlawry; Imprisonment; Burning in the Forehead. No Wages on Festivals.

c. 11. Mayors and Bailiffs shall deliver up fugitive Labourers.

c. 16. Nonclaim of Fines shall be no Bar.

c. 17. Freedom of Trade in Ireland.

c. 18. English Land-owners in Ireland may import and export from and to England.

c. 19. No Custom for Canvas to pack Wool in.

c. 21. Confirmation of a Grant by the King and Council to Denizens to transport Wool beyond Sea.

36 Edw. 3.—Statutum fc'm in p'liamento tento apud Westm̄; in quindena Sc'i Michis, Anno tricesimo sexto - - A Statute made in the Parliament holden at Westminster; In the Fifteenth of Saint Michael, in the Thirty-sixth Year - - - - - } in part; namely,—

c. 1. Confirmation of the Great Charter, &c.

c. 2. Purveyance shall be made only for the King and Queen. Payment in ready Money. Name of Purveyors changed to Buyers. By whom and how Appraisement shall be made. Takings shall be made without Menaces; and where there is plenty. Buyers shall be Men of sufficient Estate; and their Commissions be renewed half-yearly. None bound to obey Buyers without ready Payment. Corn shall be measured by Strike. Present Payment shall be made for Carriage. Penalty on taking otherwise than according to Commission; Felony.

c. 3. Punishment of a Buyer taking a Bribe.

c. 4. Commissions to inquire of Buyers and Takers. The Steward, &c. of the Households shall ascertain the Receipts of Purveyances; and certify them into Chancery; and the Chancellor to the Commissioners. Extended to Purveyors for Great Horses.

c. 5. No Man of the Household shall keep at Livery more horses than allowed by the Statute 14 Edw. 3. Stat. 1. c. 19; nor retain Purveyors for himself.

c. 6. Purveyance of Victuals by a Subject, Felony.

c. 7. Mayors, &c. of the Staple shall take Cognizance of Contracts between Merchants; but not of Felonies. Saving as to Merchants Aliens; and as to Franchises.

c. 9. Remedy in Chancery for Breaches of Statutes.

c. 10. Parliament every Year.

c. 11. The late Subsidy shall not be an Example. All Merchants may export Wools.

c. 14. The Fines of Labourers, &c., shall be levied to the Use of the Commons. The Justices of the Peace shall take the Account.

c. 15. Reasons why the Laws should be pleaded in the English Tongue. Pleas shall be pleaded in the English Tongue, and be inrolled in Latin.

36 Edw. 3. Stat. 2.—D' P'don̄ facta Co'itati regni Angl'.

Of the Pardon made to the Commonalty of the Realm of England.

Statute the Second.

37 Edw. 3.—Statut' de Victu & Vestitu; An° xxxvij. - - - - - }:—
A Statute concerning Diet and Apparel; of the Thirty-seventh Year }
Except Chapter Two.—A Writ of Idemptitate Nominis in Outlawry. The Party shall be admitted to find Surety thereupon.

38 Edw. 3. Stat. 1.—De Ordinacoib'ʒ f'cis anno tricesimo octavo.

Of the Ordinances made in the Thirty-eighth Year.

Statute the First.

42 Edw. 3.—Statutū editū apud Westm̄ primo die Maij anno xlii° Regis E. t'cij. - - - - - }in part; namely,—
A Statute made at Westminster on the First Day of May, in the Forty-second Year of King Edward 3. }

c. 1. Confirmation of the Charters.

c. 2. Confirmation of the Pardon granted in 36 Edw. 3.

c. 5. Escheator shall have xx*l.* of Land; and execute his Office in Person.

c. 6. The Statute of Labourers enforced.

c. 7. Londoners priviledged to sell at retail Victuals only.

c. 8. English Merchants shall not pass into Gascoigne to fetch Wines: nor buy Wines until landed.

c. 9. In levying the King's Debts, the Estreats shall be shewed to the Party indebted, and the Receipts totted. Sheriffs shall account by such Estreats. Sheriffs, &c. shall continue in Office one Year only.

43 Edw. 3.—Statute made in the Parliament holden at Westminster, on the Octave of the Holy Trinity.

45 Edw. 3.—Statutū de anno quadragesimo quinto Reg' E. tercii / Statute of the Forty-fifth Year of King Edward 3. :—

Except Chapter Three—Prohibition to Spiritual Courts, in Plea for Tithe of Wood, of Twenty Years Growth.

47 Edw. 3.—Statutū de Anno xlvii. R. E. t'cii.
Statute of the Forty-seventh Year of King Edward 3.

50 Edw. 3.—De p'donaco'ibz & gr'is fc'is p' Regē Coi'tati regni sui Angl'; anno quinquagesimo Reg' E. t'cii / Of the Pardons and Graces granted by the King to the Commonalty of his Realm of England; In the Fiftieth Year of King Edward 3. :—

Except Chapter Four—Prohibition shall not be allowed after Consultation granted.

RICHARD II.

1 Ric. 2.—Rotulus Statut' de Anno regni Regis Ric'i sc'di primo / Roll of the Statutes of the First Year of King Richard 2. in part; namely,—

c. 1. Confirmation of Charters and Statutes.

c. 2. The Peace shall be kept, and equal Justice administered.

c. 3. Action for Prelates against Purveyors.

c. 5. Statutes for Officers of the Exchequer confirmed. Debts once paid not to be demanded; Punishment of Clerk offending.

c. 6. Villaines and Land-tenants withdrawing their Services under the Pretext of Exemplifications from the Book of Domesday. Confederacies of Villaines; Commissions to Justices of the Peace to enquire thereof; Punishment of such Villaines; and their Abettors. Declaration as to the said Exemplifications.

c. 7. Statutes against Maintenance confirmed. Punishment for giving Liveries for Maintenance. Justices of Assize shall enquire of Offences.

c. 8. Protections with the Clause Volumus, in what Case not allowable.

c. 9. Gifts of Lands, Goods, &c. in Fraud, or for Maintenance. Such Gifts declared void. Disseisees may recover against Disseisors after such Alienation, where they take the Profits.

c. 10. Pardon in 51 Edw. III. confirmed.

c. 13. Malicious Indictors for suing in Spiritual Courts shall suffer as false Appellors under Stat. Westm. 2. 13 E. 1. c. 12.

c. 14. In Action for Goods taken away, on Claim of Tythes, General Averment shall not be received.

2 Ric. 2. Stat. 1.—D' Statuto apud Glouc' nup' edito irrotulato anno s'c'do / Of the Statute late made at Gloucester, inrolled; in the Second Year / Statute the First :—

Except Chapter Five.—The Penalty for telling slanderous Lyes of the Great Men of the Realm.

2 Ric. 2. Stat. 2.—D' Statuto apud Westm̄ edito anno s'cdo irrotulato.
Of the Statute made at Westminster in the Second Year; inrolled.
Statute the Second.

3 Ric. 2.—D' Statuto apud Westm̄ Anno t'cio edito irrotulato / Of the Statute made at Westminster in the Third Year; inrolled in part; namely,—

c. 1. Liberties of the Church and Laws of the Realm confirmed.

c. 2. Statutes as to the Assise of Cloths confirmed. Penalty on Aulneger setting his Seal to faulty Cloths.

4 Ric. 2.—Statutū editū apud Northamptoñ Anno quarto - } in part; namely,—
Statute made at Northampton, in the Fourth Year - }

c. 2. | The King's Pardon of Escapes of Felons.

5 Ric. 2. Stat. 1.—Statutū & Ordinaco'es edit' apud Westm̄ Anno quinto - - } :—
Statute and Ordinances made at Westminster; in the Fifth Year - }
Statute the First - - - - - - - }
Except Chapter Seven (1)—Forcible Entries forbidden.

5 Ric. 2. Stat. 2.—Ordinaco'es & Concordie f'ce in p'liamento tento apud Westm̄ in C^stino s'ci Joh'is añ portā latinā, A^o quinto - - - } :—
Ordinances and Agreements made in the Parliament holden at Westminster, on the Morrow of Saint John Port-Latin; In the Fifth Year - - - - - - - - }
Statute the Second - - - - - - - - }
Except Chapter Four.—Every one shall obey his summons to Parliament. Penalty on Sheriffs omitting Returns of Writs to Parliament.

6 Ric. 2. Stat. 1.—Statutū editum apud Westm̄ Anno sexto - - - - } :—
Statute made at Westminster in the Sixth Year - - - }
Statute the First - - - - - - - - }
Except Chapter Two.—Actions of Debt and Account shall be brought in their proper Counties.

6 Ric. 2. Stat. 2.—D' Statuto apud Westm̄ a° sexto edito.
Of the Statute made at Westminster in the Sixth Year.
Statute the Second.

7 Ric. 2.—Statutū apud Westm̄ Anno septimo editū - - } in part; namely,—
Statute made at Westminster in the Seventh Year - - }

c. 1. | Liberties of the Church confirmed.
c. 2. | The Charters and Statutes confirmed.
c. 5. | Justices shall examine Vagabonds.
c. 6. | The Statute of Winchester confirmed. Every Sheriff shall proclaim it quarterly.
c. 8. | The Statutes of Purveyors confirmed, and extended to Servants of Subjects.
c. 9. | Statutes made against deceit in Cloths to be sold, and against Aulnegers and Collectors of the Subsidy of Cloths, confirmed: Application of the Forfeitures.
c. 10. | Trial of Assize for Rent out of Lands lying in Two Counties.
c. 11. | The Statutes 5 Ric. II. c. 4, 5, and 6 Ric. II. c. 7, 11, 12, concerning Fishmongers, Victuallers, and Vintners, repealed. Victuallers of London shall be under the Rule of the Mayor and Aldermen.
c. 16. | No Armour or Victual shall be sent into Scotland without Licence of the King; on Pain of Forfeiture thereof.
c. 17. | When Mainpernors shall be liable in Damages by Delay.

8 Ric. 2.—Statutū apud Westm̄ anno octavo editū - - } in part; namely,—
Statute made at Westminster in the Eighth Year - - }

c. 1. | Liberties of the Church, and Statutes confirmed.
c. 2. | No Lawyer shall be a Judge in his own Country.

9 Ric. 2.—D' Statuto edito apud Westm̄ a° nono.
Of the Statute made at Westminster in the Ninth Year.

10 Ric. 2.—D' Statuto edito apud Westm̄ A° x°.
Of the Statute made at Westminster in the Tenth Year.

(1) Chapter 8. in Ruffhead's Edition.

11 Ric. 2.—D' Statuto edit' apud Westm a° xj° - - - - } :—
Of the Statutes made at Westminster in the Eleventh Year - }
Except Chapter Ten.—Delays of Law by Privy Seal forbidden.

12 Ric. 2.—D' Statuto edito apud Cantebrigg' Anno xij° - - - } in part; namely,—
Of the Statute made at Cambridge; In the Twelfth Year }

c. 1. Liberties of the Church, the Charters and Statutes confirmed.

c. 3. No Servant shall depart from one Hundred to another.

c. 4. The several Penalties for giving or taking more Wages than is limited by Statute.

c. 5. Whosoever serveth in Husbandry until Twelve Years old shall so continue.

c. 6. No Servants in Husbandry shall wear any sword, &c.

c. 7. The Punishment of Beggars able to serve.

c. 8. Travellers reporting they have been imprisoned beyond the seas, shall produce Testimonials.

c. 9. The Statute of Labourers shall be executed within Cities and Boroughs.

c. 14. Statute 47 Edw. III. chapter 1. for Cloths confirmed.

13 Ric. 2. Stat. 1.—Stat' de Anno xiij - - - - - }
Statute of the Thirteenth Year - - - - } in part; namely,—
Statute the First - - - - - }

c. 3. Limits of Steward and Marshal's Jurisdiction.

c. 4. Duty of the Clerk of the Market of the King's House; as to Weights, &c. Penalty for Misconduct.

c. 6. Number of Serjeants at Arms, thirty. Penalty on them for Extortion, Fine and Ransom.

c. 9. One Measure and one Weight throughout the Realm, except in Lancashire. Wool shall be sold 14 lb. the Stone. Refuse of Wools. Wool shall not be bought by Good Packing; and shall be cocketed only in the Owner's Name.

c. 10. Cogware and Kendal Cloth may be made of their usual Length and Breadth.

c. 11. Inconveniences from exporting deceitful cloth. Cloth of certain countries shall not be put to sale packed or folded. The makers shall put their marks to cloths.

c. 12. No Shoemaker shall be a Tanner; nor any Tanner a Shoemaker.

c. 13. None shall hunt but they wch have a sufficient Living.

c. 14. Bonds to the King in the Exchequer shall not be of the Double.

c. 15. Castles and Gaols united to their Counties.

c. 16. Protection Quia Profecturus, when allowable; Protections Quia moraturus as before. Repeal of all such Protections when the Parties return, &c.

c. 17. In Suits against particular Tenants the Reversioner may be received to defend his Right. Extended to Suits now depending. Reversioner shall find Surety of the Issues of the Lands in Demand.

c. 18. Proceedings against the Mayor and Bailiffs of Lincoln upon the Petition of the Bishop, &c. thereof. Inconveniences of partial Trials of Suits in Lincoln by People of the City. On false Verdict before the Mayor and Bailiffs of Lincoln, Attaint may be brought and tried by a Jury of the County at large.

c. 20. At what Ports persons going beyond Sea shall embark.

13 Ric. 2. Stat. 3.—Statute the Third.

14 Ric. 2.—D' Statuto edito apud Westm̄ Anno quarto decimo - - } :—
Of the Statute made at Westminster; in the Fourteenth Year - }
Except Chapter Eleven.—Eight Justices of Peace in each County. Their Estreats. Their Wages. Seal for Servants. The Statutes 12 Ric. 2. 13 Ric. 2. st. 1. c. 7., and other Statutes confirmed.

15 Ric. 2.—D' Statuto de Anno quintodecimo - - - } in part; namely,—
Of the Statute of the Fifteenth Year - - }

c. 1.	Former Statutes confirmed.
c. 4.	Eight Bushels of Corn striked make the Quarter. Penalty on buying after any other Rate, Forfeiture of the Corn.
c. 7.	Stat. 7 Ric. 2. c. 16. recited; Armour, Corn, or Victuals allowed to be carried to Berwick. Customs on Export thereof, &c.
c. 8.	St. 14 Ric. 2. c. 7., as to the Export of Tin, repealed.
c. 9.	Statute of the Staple 27 Edw. 3. st. 2. cap. 9. recited and confirmed. Penalty on Mayors for contravening thereof.
c. 10.	None shall buy Cloths of Guildford until they are fulled, &c.
c. 11.	Girdlers freed from restraint of certain Patents.
c. 12.	None shall be compelled to answer in private Courts for Matters determinable by the Law of the Land.

16 Ric. 2.—Statutū de Anno sexto decimo - - - } in part; namely,—
Statute of the Sixteenth Year - - - }

c. 1.	Recital of 9 Edw. 3. st. 1. chap. 1. that Merchants may freely buy and sell; and of Stat. 25 Edw. 3. st. 3. chap. 2., confirming 9 Edw. 3., and enacting that Merchants may sell their Wares in Gross or by Retail. Statute 11 Ric. 2. c. 7., confirming former Statutes. No Merchant Stranger shall retail any Merchandises but Victuals. No Spicery shall be exported.
c. 2.	The Statute 15 Ric. 2. chapter 12., confirmed. Penalty on Offenders 20*l.*
c. 3.	Weights and Measures shall be according to the Standard in the Exchequer; and be preserved, &c. by the Clerk of the Market, &c.
c. 4.	Who may only wear another's Livery.

17 Ric. 2.—Statuta de Anno decimo septimo - - - } in part; namely,—
Statutes of the Seventeenth Year - - - }

c. 1.	9 Edw. 3. stat. 2. ch. 3. against melting Money recited; extended to Groats and Half-Groats. No foreign Coin shall be current in England; nor Exchange made of English Money for Scottish.
c. 2.	Cloths may be made of any length and breadth. No cloth shall be sold until measured, &c. by the Aulneger. Deceit in making cloth forbidden.
c. 7.	All the King's Subjects may carry Corn out of the Realm when they will.
c. 12.	The Statute 28 Edw. 3. c. 10. shall not extend to erroneous Judgments in London.

20 Ric. 2.—Statutū de Anno vicesimo.
Statute of the Twentieth Year.

21 Ric. 2.—Statutū de Anno vicesimo primo.
Statute of the Twenty-first Year.

HENRY IV.

1 Hen. 4.—Statutum de Anno P̄mo - - } :—
Statute of the First Year - - }
Except Chapter Six.—In Petitions to the King for Lands, Offices, &c., the Value thereof shall be mentioned.

2 Hen. 4.—Statutum de anno s'c'do - - - - } in part; namely,—
Statute of the Second Year - - - - }

c. 1.	Confirmation of Liberties, Charters, Statutes, &c.
c. 5.	Recital of 5 Ric. 2. st. 1. ch. 2. touching the exporting of Gold or Silver. Gold and Silver found in a Course of Exportation shall be forfeit; saving reasonable Expenses. Merchants Strangers may export half their Money. 14 Ric. 2. c. 1.
c. 8.	The Fee of the Cyrographer of the Common Pleas for a Fine levied. Forfeiture of Office if the Cyrographer take a greater Fee. Treble Damages to the Party.
c. 9.	Certain Commissioners made in the Time of Richard 2. may be discharged by their Oaths.
c. 10.	The Fee of the Clerk of the Crown of the King's Bench for Indictments.
c. 11.	The Statute 13 Ric. 2. stat. 1. c. 5. as to the Admirals Jurisdiction confirmed. Action on the case for any wrongfully sued in the Court of Admiralty. Double damages.
c. 12.	Certain Restraints laid on wholly born Welshmen.
c. 13.	Recital of the Pardon granted by the Statute 21 Ric. 2. c. 15.; Confirmation thereof; notwithstanding the Repeal by Statute 1 Hen. 4. c. 3.
c. 14.	The Statutes of Purveyors confirmed. Purveyance of 40*s.* or under.
c. 15.	The Orthodoxy of the Church of England asserted.
c. 16.	Excesses committed by the Welsh on their English neighbours.
c. 17.	Execution may be done in Wales on Attainder of Welshmen in England.
c. 18.	The Lord Marchers in Wales shall keep sufficient Ward.
c. 19.	Of Suits against Englishmen in Wales.
c. 20.	Welshmen shall not purchase lands in England.
c. 21.	Recital of the Statute 1 Hen. 4. c. 7. respecting Liveries; The Statute 1 Hen. 4. c. 7. confirmed and amended. The Prince may give his Livery.
c. 22.	Suits for Pardon may be made, notwithstanding the Statute 11 Ric. 2. c. 1.
c. 23.	Fees of the Marshal of the Marshalsea of the King's House. Forfeiture of Office by the Marshal, &c. for taking more than their lawful Fees; Treble Damages. Fees of the Servitors of Bills, &c. Penalty.
c. 24.	Processes against such as were with the Duke of York, temp. 23 Ric. 2. for Wages received by them shall be discharged.
4 Hen. 4.—Statuta de Anno quarto Statutes of the Fourth Year	in part; namely,—
c. 1.	Confirmation of Liberties, Charters, and Statutes.
c. 2.	The Statutes 25 Edw. 3. for the Clergy confirmed. The Words Insidiatores viarum & depopulatores agrorum, shall not be put in Indictments or Appeals. Clerks shall be allowed their Clergy notwithstanding an Indictment hath the Effect of the Words aforesaid.
c. 3.	Liberties of the Church and Clergy confirmed. Clerks convict shall be delivered to the Ordinary, and dealt with according to a Constitution Provincial, to be made; and approved by the King.
c. 4.	The King will grant no Lands, &c. but to such as shall deserve them. Penalty for making Requests to the contrary.
c. 6.	Cloths of London used to be sealed. A person shall be assigned so to seal them. Cloths not sealed shall be forfeited.
c. 7.	Concerning the Special Assise. Recital of 1 Ric. 2. c. 9., giving Remedy against Disseisors; Action for Disseisee shall lie, against a Disseisor, during his Life; against Tenant of the Freehold, within a Year.
c. 8.	Mischiefs accruing from forcible Entries; A special Assise grantable in such Cases. Punishment; Imprisonment and double Damages. Damages for carrying away the Disseisee's Goods or Chattels.

c. 9.	Remedy for Commissioners distrained to return Commissions of which they had not any Notice.
c. 11.	Former statutes touching Wears, &c. confirmed. Commissioners for the enquiring of Wears, &c. Their pay.
c. 13.	St. 1 Edw. 3. St. 2. ch. 5.; 18 Edw. 3., chapter 7.; 25 Edw. 3. St. 5. ch. 8. touching Service in War, confirmed. Persons holding of the King to do any Service in War shall be bound to do the same.
c. 14.	Labourers shall not be hired by the Week; nor paid for Holidays.
c. 17.	Infants shall not be received into Orders of Friars without the Consent of Parents. The Chancellor shall have Jurisdiction herein. The several Principals of the Four Orders in England, swear to observe this Statute.
c. 18.	Attornies shall be examined by the Judges and enrolled and sworn.
c. 19.	No Officer of a Lord of a Franchise shall be Attorney in the same.
c. 24.	Statute 17 Ric. 2. chapter 5. The Aulnage of Cloths may be farmed.
c. 26.	Englishmen shall not be convict by Welshmen in Wales.
c. 28.	Against Congregations in Wales.
c. 30.	No Victual or Armour shall be carried into Wales.
c. 31.	Welshmen shall not have Castles.
c. 32.	No Welshman shall bear Office.
c. 33.	Castles and Walled Towns in Wales shall be kept by Englishmen.
c. 34.	Englishmen married to Welsh women shall not bear Office in Wales.
c. 35.	Recital of the Statute 13 Ric. 2. st. 1. ch. 12. Shoemakers may tan Leather; till the next Parliament.

5 Hen. 4.—Statuta de anno quinto - - - - } in part; namely,—
Statutes of the Fifth Year - - - - }

c. 3.	Watch shall be made upon the Coasts, as under Statute of Winton, 13 Edw. 1. Justices of Peace shall enquire hereof.
c. 8.	In Actions of Debt, as on Accounts before Auditors, the Judges may receive Defendants to their Law, or try the Matter by Inquest.
c. 9.	The Statute 4 Hen. 4. c. 15. confirmed; Customers shall take Surety of Foreign Merchants to observe that Statute. Within what time Merchants Aliens shall sell their Merchandise. Aliens shall not sell any Merchandise to each other. Hosts shall be appointed to Merchants Aliens.
c. 12.	Execution allowed on a Statute Merchant once showed in Court.
c. 14.	To prevent Forgery, &c. of Notes, &c. of Fines of Lands; the Writs whereon they are levied shall be enrolled in the Court of Common Pleas.
c. 15.	The King's General Pardon. Exceptions.

6 Hen. 4.—Statuta de Anno sexto - - - - } :—
Statutes of the Sixth Year - - - - }

Except Chapter Two.—The Statute 1 Hen. 4. chapter 6., respecting Petitions to the King for Lands, &c. shall not extend to the Queen nor the Princes.

7 Hen. 4.—Statut' de anno vij° - - - - } in part; namely,—
Statute of the Seventh Year - - - }

c. 4.	1 Ric. 2. c. 12. No Protection allowable in Actions against Gaolers, for Escapes.
c. 8.	No Licence or Pardon shall be granted on Provision to a Benefice full of an Incumbent.
c. 10.	Length and Breadth of Cloths; Cloths of less Dimensions forfeitable.
c. 11.	Commissioners not receiving their Commissions shall be discharged in the Exchequer upon Oath.

c. 14. Stat. of 1 Hen. 4. c. 7. and 1 Ric. 2. c. 7. touching the giving of Liveries recited. No Congregation or Company shall make any Livery of Cloth or Hats.

c. 16. Annuities granted by the Crown shall be paid according to Priority of the Grants.

c. 17. Confirmation of Statutes 25 Edw. 3. Stat. 2. and 12 Ric. 2. c. 3. concerning Labourers. No one shall put his Child apprentice unless he have 20s. per Annum in Land or Rent. Every one may put his Child to School. Certificate of Value of Lands of Parents of Apprentices. Penalty for receiving an Apprentice contrary hereto. Labourers to be sworn, or be put in the Stocks.

c. 18. None shall be punished for repressing of the late Insurrections. Pardon.

9 Hen. 4.—Statuta de anno nono - - - -} :—
Statutes of the Ninth Year - - - -}

11 Hen. 4.—D' Statutis A° xj°.
Of the Statutes in the Eleventh Year.

13 Hen. 4.—D' Statutis xiij° H. iv. - - - - -} :—
Of the Statutes in the Thirteenth Year of K. Henry IV. -}
Except Chapter Seven.—Justices of Peace and Sheriffs shall arrest all Rioters; and record their offences; and enquire thereof. Certificate of Justices, &c. shall be equivalent to a Presentment of a Jury. Traverse of a Riot triable in the King's Bench. Conviction of Offenders for Default of Appearance. The Penalty of the nearest Justices, &c. omitting to execute this Act.

HENRY V.

1 Hen. 5.—Statuta de anno primo Reg' Henrici quinti - -} in part; namely,—
Statutes of the First Year of K. Henry V. - -}

c. 1. Statutes for the election of Knights of the shire confirmed. Elected and electors shall be resident in the several shires, cities, &c.

c. 2. The Statutes relating to Wears, &c. confirmed.

c. 3. Forging of false Deeds. Party grieved may sue. Party guilty shall be fined.

c. 6. No Actions shall be brought by Welshmen in respect of injuries sustained in the late Rebellion.

c. 8. Irishmen and Irish Clerks Mendicant shall depart the Realm. Exceptions.

c. 9. Recital of Grants of the Revenues, Offices, &c. of Calais to certain Persons by Letters Patents. All such Letters Patents annulled. The said Revenues, &c. shall be applied to the Maintenance of Calais. Exception for the Duke of Clarence.

c. 10. The lawful Measure of Corn, according to former Ordinances. London Measure called the Vat. Former Ordinances confirmed. By what Measures Purveyors, &c. shall buy Corn. Punishment of Offenders.

2 Hen. 5. Stat. 1.—Statuta de anno s'c'do ejusdem Regis - -}
Statutes of the Second Year of the same King -} in part; namely,—
Statute the First - - - - -}

c. 4. in part. Statute 12 Ric. 2. chap. 3., &c. confirmed. Justices of the Peace may send their Writs to the Sheriffs for fugitive Servants or Labourers. The Statutes of Labourers shall be exemplified, and sent to the Sheriffs; and by them to the Justices of the Peace. Times when Justices of the Quorum resident in the Shire, except Lords, &c., shall hold their

Quarter Sessions. Justices of Peace may examine Labourers and their Masters on Oath:—
Except from "And that the Justices of the Peace in every Shire" to "every Year from henceforth."

c. 5. Outrages committed by Persons dwelling in Tyndal and Exhamshire in Northumberland; process against such Offenders.

c. 6. Breaches of Truces and Safe-conducts of the King declared to be High Treason. Conservators of Truce shall be appointed in the Ports. Their Authority as to Offences done upon the Sea. The Process to be used. Except in cases of Homicide. Authority of Conservators as to Offences within the Bodies of Counties. Process thereon. Additions of the Parties indicted. Two Lawyers shall be associate in Commission, with the Conservator. The Authority of such Commissioners. Oath of the Commissioners. Seal of the Conservator. Masters, &c. of Ships shall be sworn to keep Truces, &c. and their names, &c. enrolled. Conservator shall be informed of Prizes taken from the King's Enemies. Punishment of Owners and Masters of Ships offending. Owners not punishable, unless on board. Forfeitures to the Admiral. Authority of Conservators within the Cinque Ports. Homicide. The Warden of the Cinque Ports shall have all Forfeitures there. Ordinance shall commence after proclamation.

c. 7. Suggested evils from the religious sect called Lollards. Chancellor, Judges, &c. shall be sworn against Lollardry; and assist the Ordinaries and Commissaries in arresting Lollards, &c. Forfeiture of lands and goods of persons convict of heresy. Justices of the King's Bench, &c. shall inquire of heretics. Capias against them. Conisance of heresy belongs to the Spiritual Judges. Heretics indicted may be bailed. Commissaries of the Ordinary. Qualification of Jurors. Breaking of Prisons by persons arrested. The heirs of persons not convict may enter into their lands.

c. 9. Commission of Murders, Riots, &c. and the Flight of Offenders; on complaint in Chancery of any such Flight, a Bill shall be made for the King; whereupon shall issue a Capias returnable in Chancery; and the Offender, if taken or yielding, may be bailed by the Chancellor. If such Offender is not taken, &c. a Writ of Proclamation shall issue returnable in the King's Bench, and on Nonappearance the Offender shall be attainted. Suggestions of Riots shall be testified to the Chancellor by Two Justices and the Sheriff. Process within Counties Palatine, &c. Continuance of Act.

2 Hen. 5. Stat. 2.—Alia Statuta de eodē Anno - - - -
Other Statutes of the same Year - - - -
Statute the Second - - - - -:—
Except Chapter One.—Justices of the Peace shall be appointed from the Residents: Exceptions.

3 Hen. 5.—Statuta de anno t'cio.
Statutes of the Third Year.

4 Hen. 5. [vel 3Hen.5.Stat.2.] (1)—Statuta de anno quarto.
Statutes of the Fourth Year.

4 Hen. 5. [Stat. 2.]—Statuta de [eodem (2)] Anno 4 - - -
Statutes of the same Fourth Year A.D. 1416 -:—
Except Chapter One.—Charters and Statutes confirmed.

5 Hen. 5.—Ordinacio anno quinto.
An Ordinance in the Fifth Year.

(1) 3 Hen. 5. Stat. 2. in Ruffhead's Edition. See note, 2 Stats. of the Realm, 192.
(2) See note, 2 Stats. of the Realm, 196.

7 Hen. 5.—Indictments in the Co. Palatine of Lancaster for Treasons laid in a place not existing. Before award of exigent on such indictments there shall be an inquest to ascertain whether the place exist or not. Punishment of persons so prosecuting indictments, &c. imprisonment and fine. Process against forgers, &c. of false deeds by capias and exigent.

8 Hen. 5.—Statuta de anno octavo.
Statutes of the Eighth Year.

9 Hen. 5. Stat. 1.—Statuta de anno nono - - - -
Statutes of the Ninth Year - - - -
Statute the First - - - - - } in part; namely,—

c. 2. On Outlawries in Lancashire, Goods and Lands in other Counties shall not be forfeited. The Statute 1 Hen. 4. c. 18. as to Cheshire, confirmed.

c. 3. Assises shall be taken as heretofore. In Protections for Persons beyond Sea in the King's Service; Assises of Novel Disseisin shall not be excepted. For saving Rights of Reversioners, so being in the King's Service, if not named in such Assises. The Council may give further Relief.

c. 5. Recital of St. 14 Edw. 3. Stat. 1. cc. 7, 8., concerning Sheriffs and Escheators. The King may appoint Sheriffs, &c. for Four Years.

c. 6. A Mint allowed at Calais.

c. 8. Offences committed by Scholars at Oxford. Process against such Offenders. Certificate to the Chancellor of the University. Banishment from the University thereupon.

c. 9. Abbots and Priors shall not be appointed to collect the Dismes out of their own Counties.

c. 11. English Gold Coin shall be received by Weight. Re-coinage of Gold Money.

9 Hen. 5. Stat. 2.—Alia statuta de eodem anno nono - - -
Other Statutes of the same Ninth Year - - } :—
Statute the Second - - - - -
Except Chapter Eleven.—For the Repair of Roads and Bridges at Burford and Culhamford, between Abingdon & Dorchester.

HENRY VI.

1 Hen. 6.—Statuta de anno primo.
Statutes of the First Year.

2 Hen. 6.—Aº 2 - - - - - - - -
The Second Year - - - - - } in part; namely,—

c. 3. John Duke of Bedford being in the King's Service allowed to appear in Suits by Attorney.

c. 4. Recital of an Ordinance of 36 Edw. 3. respecting Merchandises of the Staple; recital of an Ordinance of 1 Hen. 4. as to Merchandises of the Staple. Recital of St. 2 Hen. 5. stat. 2. c. 6. as to such Merchandises; all existing Statutes relating thereto confirmed. All Merchandises of the Staple shall be carried to Calais. Licenses.

c. 6. The Statute 9 Hen. 5. st. 1. c. 6. for a Mint at Calais confirmed. No Gold or Silver shall be carried out of the Realm, except for Soldiers. Reward to Informer. Exceptions; Ransoms for Prisoners, &c. Merchants Aliens shall be bound not to carry Gold out of the Realm.

c. 7. Cordwainers shall not be Tanners: Penalty. Penalty on Tanners of defective Leather. Recovery of Penalties.

c. 8. The Statute 1 Hen. 6. c. 3. touching Irishmen, in England, recited. By whom the Sureties under that Statute shall be taken.

c. 9.	The Money called Blanks abolished. Penalty on paying or receiving thereof; as under Statute 3 H. 5. c. 1.
c. 10. (1)	Deceitful Works of Embroidery of Gold and Silver shall be forfeited.
c. 11. (1)	Concerning the Reversal of Outlawries pronounced against Persons whilst abroad in the Service of the King.
c. 12. (1)	The Justices of the Peace of certain Counties shall enquire of Weirs, &c. upon the Thames. Upon the Inquisicions certified into the King's Bench, the Judges shall award Process; and the Nuisances to be removed.
c. 13. (2)	All Patent Officers in the King's Courts shall be sworn to appoint sufficient Clerks.
c. 15. (3)	The Master of the Mint shall keep his Allay in making of white Money; and shall receive Silver at the Mint at the true Value. The King's Assayer and Controller shall be present; their Oaths & Functions. The Master of the Mint and the Exchanger shall convert into Coin all the Gold and Silver which they receive. The Master of the Mint shall make small Money.
c. 16. (4)	The Price of a Pound of Silver in Plate, Piece, or Mass.
c. 18. (5)	Recital of St. 2 Hen. 5. st. 1. ch. 4. respecting Servants and Labourers. Justices of the Peace empowered to proceed against the Masters as well as the Servants. Penalty upon Sheriffs, &c. for letting convicted Offenders to Bail. Justices may call before them Artificers and Victuallers, and regulate their Wages and Prices. Continuance of Ordinance.
c. 19.	The penalty of fastening trinks or nets across any river. Owners of trinks may fish with them by hand.
c. 20. (6)	The Statute Westm. 2. 13 Edw. 1. ch. 3. recited; the Reversioners, &c. mentioned therein may be received to defend their Right at any Time before Judgment. Continuance of Ordinance.
c. 21. (7)	Escape of Prisoners, committed for High Treason, declared to be Treason. The Lords of the Fee shall have the Forfeitures. Continuance of Ordinance.

4 Hen. 6.—Statutes of the Fourth Year of K. Henry 6.:—
Except Chapter Three.—Recital of the Statute 9 Hen. 5. st. 1. ch. 4., reciting Stat. 14 Edw. 3. st. 1. c. 6. for Amendment of Errors in Process, by Misprision of Clerks, as well after Judgment as before: The said Statutes confirmed, as well after Judgment on Verdict as on Demurrer. Exception as to Wales, and Records of Outlawry.

6 Hen. 6.—Rot. Stat. de Anno r' r' H. sexti vj^to vj^to - - - - }:—
Roll of the Statutes of the Sixth Year of the Reign of K. Henry 6. }
Except Chapter One.—Indictments found in the King's Bench by Jurors suspected, or unduly procured; Before any Exigent for Outlawry, on any such Indictments, Writs of Capias shall be awarded into the Counties where the Party is indicted, and of which he is named.

(1) In Ruffhead's Edition these three Chapters, in the form of a short abstract or note of the contents, are placed in succession, without any numbers, immediately after Chapter 9. and before Chapter 10. of that Edition.
(2) Chapter 10. in Ruffhead's Edition.
(3) Chapter 12. in Ruffhead's Edition.
(4) Chapter 13. in Ruffhead's Edition.
(5) In Ruffhead's Edition this chapter, in the form of a short abstract or note of the contents, is placed without a number, immediately after Chapter 14. and before Chapter 15. of that Edition.
(6) Chapter 16. in Ruffhead's Edition.
(7) Chapter 17. in Ruffhead's Edition.

8 Hen. 6.—Statutes of the Eighth Year of K. Henry 6. - - in part; namely,—

c. 3. The Statute 6 H. 6. c. 5. recited; Commissioners of Sewers empowered to execute their own Ordinances.

c. 4. For the purpose of executing the Statutes 1 Hen. 4. c. 7., 1 Hen. 4. c. 14., against unlawful liveries, Justices of the Peace, &c. may proceed against offenders by attachment, distress, capias, and exigend. The statutes extended to the Counties of Chester and Lancaster; exception as to the Sheriff of London, Mayors, Serjeants at law, &c., and as to persons serving in war. Persons at their own cost wearing liveries for maintenance shall incur the penalties of the said statutes.

c. 5. Magna Carta and certain Statutes [See 25 Edw. 1. chapter 25.; 25 Edw. 3. stat. 5. ch. 9.; 27 Edw. 3. stat. 2. ch. 10.; 34 Edw. 3. chapter 5.; 13 Ric. 2. stat. 1. ch. 9.] relating to Weights and Measures, confirmed. Every City, Borough, and Town shall have a common Balance and Weights. No Man shall buy Woollen Yarn, unless to make Cloth; nor measure nor weigh but according to the Standard. Penalties recoverable before Justices of the Peace. Penalty on City or Town not having common Balance and Weights.

c. 6. Burning of Houses by Persons sending Bills to appoint Money to be laid in a certain Place, made High Treason.

c. 7. Electors of Knights of the Shire shall have 40 shillings a year freehold and be resident. The Knights elected shall be resident. Returns of elections by the Sheriffs by Indenture. Sheriffs empowered to examine electors on oath as to their estates. Justices of Assize may inquire of undue returns. Penalty on Sheriffs and Knights in cases of undue returns. Writs of election to Sheriff shall notice this act.

c. 8. The Statute 6 H. 6. c. 3. respecting Wages of Labourers, &c. continued.

c. 11. Custom of London respecting taking of Apprentices there; the Statute 7 H. 4. c. 17. respecting Apprentices generally; the said Custom of London as to Apprentices confirmed.

c. 13. In Protections for Persons going with the King to France, Assises of Novel disseisin shall not be excepted. For saving Rights of Reversioners, so being in the King's Service, if not named in such Assises. Exceptions for Entries made after the beginning of this Parliament.

c. 14. Recital of the Statute 2 Hen. 5. stat. 1. ch. 9., directing Process of Capias, and Proclamation against Offenders withdrawing themselves; The recited Statute made perpetual. Two Justices shall certify Riots before Award of Capias. Provision for the County Palatine of Lancaster and other Franchises.

c. 25. The present Mayor of the Staple of Calais shall stay Two Years in Office.

c. 26. In Writs of Assise and Personal Actions for Lands or Matters within Franchises, if Defendant make Default to oust the Lords, &c. of Franchises of their Jurisdiction, the Writ shall abate. 9 H. 4. c. 5.

c. 27. Robberies and Injuries on the Severn, by Rovers of the Forest of Dean, and Hundreds of Bledislow and Wesbury, against the Goods and Ships of the People of Tewkesbury, and others. Proclamation of Council against such Offences. Sheriff of Gloucester, &c. shall make Proclamation for Trespassers to satisfy the Parties injured. On failure the Commonalties of the Forest and Hundreds shall be answerable for the Robberies as under the Statute of Winchester.

c. 29. The Statute 27 Edw. 3. st. 2. cap. 8. respecting Inquests de medietate linguæ, where Aliens are Parties before the Mayor of the Staple; The Statute 28 Edw. 3. chapter 13., confirming and amending the same; The Statute 2 H. 5. st. 2. chapter 3., requiring Jurors to have 40*s.* per Annum; The Statute 2 H. 5. st. 2. c. 3. limited to Inquests to be taken between Denizen and Denizen.

9 Hen. 6.—D' Anno nono - - - - - } in part; namely,—
Of the Ninth Year - - - - }

c. 1. All Assises and Nisi prius adjourned during this Parliament.

c. 7. Extortions, &c. by Sheriffs in the County of Hereford; Penalty on Sheriffs, &c. of that County for unlawful Inquests, &c. Penalty Forty Pounds. The King or Party grieved may sue. Double Damages to the Party. Continuance of this Act.

c. 10. The Statute 4 Henry 5. [3 H. 5. st. 2.] chapter 2., authorizing certain Religious Persons to make Attornies, recited. The said Statute 3 Hen. 5. c. 2. continued during the King's Pleasure.

c. 11. Recital of the Circumstances of the Case of the Coheirs of Edmund Earl of Kent; Claim of Alianour Wife of James Lord Audley, to be the lawful Daughter of the said Edmund Earl of Kent. A Practice to prove the said Alianour Mulier by the Common Law, who was indeed a Bastard. No Certificate heretofore made, for the said Alianour, shall bind any other than the Parties to the Plea. Whenever Bastardy is alleged, the Judge, upon Prayer of any of the Parties, shall send into Chancery a Memorandum of the Issue joined; and thereupon Proclamations shall be made in Chancery, &c. before any Writ be awarded to the Ordinary to certify Bastardy; or in Default, the Certificate of Bastardy shall be void. Certificate to be made on any Writ already issued declared void.

10 Hen. 6.—Anno x° - - - - - - in part; namely,—

c. 2. The Statute 8 Hen. 6. c. 7. as to Freehold qualification of electors of Knights of the Shire. Such freeholds shall be within the county.

c. 3. Letters of Request, under the Privy Seal, shall be granted to Subjects whose Goods are taken by Danish Subjects.

c. 4. Outlawries, &c. in Actions at the Suit of Parties not actually appearing; Filazers, &c. shall not record the personal Appearance of Plaintiffs unless they actually appear, and make Oath of their Identity.

c. 5. St. 21 Ric. 2. c. 18. recited relative to repairing Beacons, &c. at Calais, although repealed by the Terms of Statute 1 H. 4. c. 3., shall be in force and executed.

10 Hen. 6. Stat. 2.—Ꝑ Justic̃ ꝯvientibꝫ ad legem & attorñ dñi Reg̃.
Statute the Second.

11 Hen. 6.—A° xj° - - - - - - } in part; namely,—
In the Eleventh Year - - - - }

c. 2. In Assises of Novel Disseisin, Sheriffs are sometimes named as Disseisors, in order to have Writs of Execution directed to the Coroners: In such Cases Averment shall be received to the contrary, and the Writ be quashed.

c. 3. Recital of the Statute 4 H. 4. c. 7.; Disseisees may recover in all Writs founded on Novel disseisin, as in Assises under recited Act.

c. 4. Perjury of Jurors, and Pleas and Delays at the Common Law, in Attaints against them; Plaintiffs in such Attaints shall recover Damages and Costs.

c. 5. After any Assignment by Tenant for Life or Years, the Reversioner may have Action of Waste against him, as before any such Assignment, if he continue to take the Profits.

c. 7. Recital of the Statute 9 H. 6. c. 7. restraining Extortions of the Sheriff of County of Hereford. The said Statute 9 H. 4. c. 7. continued for Three Years.

c. 8. Recital of St. 1 H. 5. c. 10., as to the Measure of Corn; The several Statutes not duly executed; The Statute 1 H. 5. c. 10., 8 H. 6. c. 5. &c., touching Weights and Measures, shall be proclaimed and executed; A common Bushel shall be in every Town, under Penalty in St. 8 H. 6.

	c. 5. as to Balances. Mayors and Justices of the Peace may determine Offences against these Statutes. Form of the Proceeding. Mayors, &c. shall be sworn to execute the Statute and account for the Forfeitures, &c. to the King. Saving of Liberties of Lords, &c.
c. 9.	Recital of the Statutes 17 H. 2. c. 2., 7 H. 4. c. 10., 11 H. 4. c. 6., respecting the Alnage and Measure of cloths. The said Statutes declared to extend only to whole cloths. Length and Breadth of Cloths called Streits. Cloths shall not be put to sale until measured and sealed by the Alneger. Penalty on him for sealing defective cloths.
c. 10.	Whenever Recognisors in Statutes Staple, arrested in Execution, sue out Writs of Corpus cum causâ or Scire facias, Surety shall be given severally to the King and to the Recognisee.
c. 12.	Exactions of Wax Chandlers. They shall take for Wax Candles, Images, &c. only 3*d.* in the pound beyond the price of plain wax on penalty of forfeiture, &c. Justices of Peace, &c. may punish offenders. Exception.
c. 15.	Customers shall give Warrants of Discharge to Merchants having paid their Custom. Penalty on Refusal.
c. 16.	Penalty on Customers giving, and Merchants receiving, Blank Cockets to defraud the Customs; Felony, &c.
14 Hen. 6.—xiiij	- - - - - - - - in part; namely,—
c. 4.	The Statutes as to holding Sessions in Counties Four Times a Year; In Middlesex the Sessions need only be holden Twice a Year; or for Inquiry of forcible Entries, &c.
c. 8.	Recital of the Statute 2 Hen. 5. st. 1. ch. 6, concerning Breakers of Truces, &c. The said Statute suspended for seven Years.
15 Hen. 6.	
18 Hen. 6.	- - - - - - - - - in part; namely,—
c. 2.	Recital of the Statute 15 H. 6. c. 5. relative to Qualification of Jurors in Attaints; Freeholders in Gavelkind may be Jurors.
c. 5.	Qualification of Collectors of Tenths in Cities, to be also Collectors of Fifteenths in Counties, Five Pounds per annum, within the County.
c. 8.	For the further Security of the Captors of the Ships of Enemies, Alien Merchants may lade Ships of Enemies, being under the King's Letters of Safe-Conduct. Captures of Ships, not having Safe-Conducts on board or inrolled in Chancery, declared valid. Commencement and Proclamation of this Act.
c. 9.	Recital of Statute 10 H. 6. c. 4. for recording the personal appearance of Plaintiffs. The said statute made perpetual. Penalty on Officers of Court for neglect; on Attornies for not recording their warrants in the town where the exigent is awarded.
c. 10.	Recital of St. 6 H. 6. c. 5. as to Commissioners of Sewers. Commissions of Sewers shall be granted for Ten Years.
c. 11.	Abuse in the Appointment of Justices of the Peace. None shall be assigned a Justice of Peace unless he have 20*l.* per Annum in Land. Penalty 20*l.* on unqualified Persons acting. Exception as to Corporations; Proviso, in Defect of qualified Persons in Counties.
c. 12.	Recital of St. 9 H. 5. stat. 1. c. 1. touching false Appeals and Indictments and Doubts whether it be expired. The recited statute declared in force and made perpetual.
c. 13.	Recital of St. 9 Hen. 5. stat. 1. ch. 2. as to Forfeitures upon Outlawries in Lancashire. The recited Statute made perpetual; unless repealed in the next Parliament.
c. 14.	Sheriffs, &c. taking Bribes for making Arrays and Panels of Juries, shall forfeit Ten Times the Amount to the Party grieved. Continuance of this Act.

c. 16.	Evil of Measuring Cloths by the London Measure. Keeper of the Aulnage shall have a Line for Measuring of Cloths sealed at the Exchequer. Measure of Cloth, wet or dry. Penalty on Seller deceitfully measuring; and Buyer refusing this Ordinance.
c. 19.	Evils of Desertion in the King's Service. A soldier leaving his Captain without Licence, declared guilty of Felony. No soldier shall return from beyond Sea without Licence; Chief Officers of Ports, &c. shall arrest Soldiers so returning and detain them for Inquiry by Justices of Peace.
20 Hen. 6.	- - - - - - - - :— Except Chapter Nine.—Recital of Magna Carta relating to Trial by Peers; Noble Ladies shall be tried as Peers of the Realm are tried.
23 Hen. 6.—Incipiunt Statuta apud Westm̃ edita anno xxiij° - Here begin the Statutes made at Westminster in the Twenty-third Year - - - - -	in part; namely,—
c. 1.	Recital of St. 36 Ed. 3. stat. 1. ch. 2. relating to Purveyors. 36 Ed. 3. stat. 1. ch. 3. Recited Statutes confirmed. Purveyors shall be sworn. Resistance against Purveyors acting illegally. Action of Debt by the Party grieved. Treble Damages. Serjeant of the Catery shall pay Damages in default of Purveyor.
c. 3.	Recital of the Statute 20 Hen. 6. c. 10. touching Deceits in the making of Worsteds in Norwich and Norfolk. Worsted Weavers shall choose Four Wardens yearly in Norwich, and Four in Norfolk. Oath of the Wardens; and their Authority. Weavers shall put their Marks on their Worsteds. Defective Worsteds forfeitable. Continuance of this Ordinance. Rules of Wardens shall be certified to the King and Council.
c. 5.	The Statute 15 Hen. 6. c. 2. as to Export of Corn, recited. The said recited Statute made perpetual.
c. 6.	The gathering of Head-pence by the Sheriff of Northumberland shall cease.
c. 8.	Recital of the Statute 6 Hen. 6. c. 5. relating to Commission of Sewers. Like Commissions may be granted for 15 Years.
c. 9.	No Sheriff shall let his county, &c. to farm. No Sheriff's Officers or Bailiffs shall be returned upon inquests. Such Officers shall not have anything of persons arrested for ease and favor, &c. Treason arrests. No fee for Returns or Panels. Fees for Copy of a Panel. Sheriffs shall let to Bail all persons arrested on Sureties, except persons in execution, &c. How their Bond shall be broken on such bailing. No condition thereof. Bonds in other forms void. Sheriff shall make Deputies in the King's Courts. Penalty on offending against this Act. Justices of Assize may inquire of offenders. Sheriffs returning Cessi Corpus or Reddidit se shall be chargeable with the Bodies. Exception for the Warders of the Fleet, &c.
c. 10.	Extortion of Sheriffs in levying Wages Knights of the Shire; Appointment of County Court to assess such Wages. Penalty on Sheriff, &c. for Absence. Each Hundred and each Township shall be assessed by itself. Penalty on levying more than is assessed. Sheriffs shall levy the Money, and pay it to the Knights. Recovery of Penalties. Treble Costs. Such Wages shall be levied only where usual.
c. 11.	Trial of Foreign Pleas after Issue joined, &c. Continuance of this Act.
c. 12.	Servants in Husbandry purposing to leave their Masters must engage with a new one, and give warning to the old; or continue to serve the First Master. Wages of Servants in Husbandry, &c. with Meat and Drink, and without. Wages of Servants of Hostlers, &c. in Cities. Summer Wages of Masons, Carpenters, and other Artificers. Winter Wages. Wages of Labourers in Harvest. Holy-days. Justices of Peace shall enforce this Act. Penalty on Servants, &c. offending. Action

against Offenders. No Fine shall be under 3*s.* 4*d.* Proclamation of the Acts relating to Servants, &c. Evasion of Service in Husbandry. Commencement of Act.

c. 13. Penalty on Buyers or Purveyors of Subjects taking any Thing against the Owner's Will. Penalty on Officers not executing this Act. On Buyers. Commencement of Act. King's Purveyors.

c. 14. Recital of Stat. 1 H. 5. c. 1. and of Stat. 8 H. 6. c. 7. Defaults of Sheriffs on returning Knights to Parliament. The recited Statutes 1 H. 5. c. 1. and 8 H. 6. c. 7. confirmed. The Sheriffs shall send precepts to the Mayors, &c. of Cities and Boroughs to elect Citizens and Burgesses to Parliament. Mayors, &c. shall return the said precepts to the Sheriffs, who shall make rightful returns accordingly. Sheriffs transgressing this or any former statute touching elections shall in addition to the penalty to the King under the Statute 8 H. 6. c. 7. forfeit 100*l.* to the party, &c. Penalty on Mayor or Bailiff making undue Return of Citizens or Burgesses, 40*l.* to the King and 40*l.* to the party, &c. Time of election of Knights of the Shire. Penalty on Sheriffs, 100*l.* to the King and 100*l.* to the party, &c. Recovery of Penalties. If any who is returned to be Knight, Citizen, or Burgess be put out and another put in his place, Penalty against the person taking his seat, 100*l.* to the King and 100*l.* to the party, &c. What persons shall be chosen Knights of the shire.

c. 17. Subjects may buy Wines in Gascony, &c. without any new Charges. Penalty on King's Officers transgressing this Act.

25 Hen. 6.—All Statutes against Welshmen confirmed. Grants of Markets, &c. in North Wales avoided. The King's Bondsmen there shall do their annual services.

27 Hen. 6.—De Anno xxvij° - - - - - }:—
Of the Twenty-seventh Year - - - - }

Except Chapter Five.—The Scandal of holding Fairs and Markets on Sundays and upon High Feast Days. Fairs and Markets shall not be holden Sundays or on Festivals. Exception of the Four Sundays in Harvest. Grantees of Fairs and Markets shall have their full Complement of Days, excluding Sundays and the said Feast Days. Commencement and Continuance of this Act.

28 Hen. 6.—De Anno xxviij°.
Of the Twenty-eighth Year.

29 Hen. 6.—D' Anno xxix° - - - - - }in part; namely,—
Of the Twenty-ninth Year - - - - }

c. 2. St. 2 Hen. 5. st. 1. chap. 6. as to Safe-Conducts, confirmed. Chancellor and Chief Justice shall have like Jurisdiction as have the Conservators under the said Statute; Process against Offenders. No person appearing shall incur the Pain of Treason. Saving for Persons out of the Realm. Proviso for Owners of Ships, &c. Continuance of this Act. No pardon allowable.

31 Hen. 6.—D' Anno xxxj°.
Of the Thirty-first Year.

33 Hen. 6.—D' Anno xxxiij°.
Of the Thirty-third Year.

39 Hen. 6.—Anno xxxix°.
In the Thirty-ninth Year.

EDWARD IV.

1 Edw. 4.—An' j° - - - - - - } in part; namely,—
In the First Year - - - - - }

c. 1. What Acts judicial, &c. done in Times of the Kings Henry 4. 5. and 6. shall be valid. Fines, &c.; other than in Parliament.
§ 2. Creations of Nobility; Except to Rebels.
§ 3. Liberties, Divisions of Counties, Grants of Incorporation, &c. to any Bodies Corporate.
§ 4. Licences or Pardons of Alienation, or to enter into Lands descended, without Livery. Licences to found any Spiritual House, &c. or any Fraternity, Guild, &c., or to give or receive any Lands. Licences of Appropriation, or to make Elections. Pardons to Corporations, for Purchases; Liveries or Restitutions of Temporalities to Spiritual Persons. Founding of Religious Houses; as to the Corporations and Scites of the same.
§ 5. Assignments of Dower. Proviso for the King and the Duchess of Bedford.
§ 6. Lands assured in Mortmain, by any of the said Kings, which were given to them to that Intent. Exception for Lands assured to the King by way of Recompence.
§ 7. Collations, Gifts, and Presentations to Benefices, during the Incumbents' Lives. Except Persons attainted; and the King's open Enemies.
§ 8. Grants of Wards and Marriages.
§ 9. Grants of Fairs and Markets.
§ 10. Grants of Liveries of Lands. Exception as to Crown Lands; and forfeited Estates.
§ 11. Wards or Marriages, granted by the present King. Except on Attainders.
§ 12. Letters Patents made to several Persons of Offices. Proviso for Grants of Annuities, Benefices, and antient Offices. Exception for certain Offices; the Grants of which shall be in force during the King's Pleasure.
§ 13. The King's several Grants to divers Corporations, &c. since the Fourth of March last.
§ 14. Feoffments upon Trust to the late Kings, to the Use of others, except Persons attainted in this Parliament.
§ 15. K. Edw. 4.'s Letters Patents made to the Lord Chancellor, Lord Treasurer, Judges, &c.
§ 16. Commissions of the Peace, and of Gaol-delivery, &c. or of Sewers, and all other Commissions.
§ 17. Acts of Parliament for the Town of Shrewsbury.
§ 18. Grant to the Abbot of Byland, of the Manor of Kilbourn in the County of York, by K. Hen. 6.
§ 19. Grants to Convents to choose their Abbots, &c.
§ 20. Recognizances and Deeds inrolled.
§ 21. Licences to inclose Parks, &c. or to make Castles, &c.
§ 22. Proviso for Cicily, Duchess of York, Mother to the King.
§ 23. Proviso for Lands forfeited by Attainder in this Parliament.
§ 24. Persons so attainted excepted from this Act.

3 Edw. 4.—A° iij°.
In the Third Year.

4 Edw. 4.—A° iiij°.
In the Fourth Year.

7 Edw. 4.—A° vij°.
In the Seventh Year.

8 Edw. 4.—A° viij°.
In the Eighth Year

12 Edw. 4.—Incipiunt Statuta apud Westm' edita, anno duodecimo - - } :—
Here begin the Statutes made at Westminster, in the Twelfth Year }
Except Chapter One.—Recital of the Statute 23 Hen. 6. c. 7. Sheriffs, before having their Writ of Discharge, may return Writs, during Michaelmas Term.

14 Edw. 4.—Incipiunt Statuta apud Westm' edita, anno quarto-decimo.
Here begin the Statutes made at Westminster, in the Fourteenth Year.

17 Edw. 4.—Incipiunt Statuta apud Westm' edita, anno decimo septimo - - - - - - } in part; namely,—
Here begin the Statutes made at Westminster, in the Seventeenth Year - - - - - }

c. 1. Recital of St. 9 Edw. 3. st. 2. c. 2.; 2 H. 4. c. 6. No Irish Money shall run in Payment in England or Wales, upon Pain of Forfeiture thereof. Apportionment of Forfeitures. Action of Debt for Forfeitures; at common Law, or before Justices of the Peace. Process, Judgment, and Execution in Actions for Penalties. Recital of St. 2 H. 6. c. 6. Felony to export Coin or Plate, &c. without the King's Licence. Except by Persons dispensed in St. 2 H. 6. and other Statutes. Recital of St. 9 E. 3. st. 2. c. 3.; 17 R. 2. c. 1. No Person shall melt any Money of Gold or Silver sufficient to run in Payment; nor gild any Vessels, &c. of Silver. Exceptions. 3 E. 4. c. 5.; Rot. Parl. 17 E. 4. nu. 30. Forfeiture of Value of the Money, &c. Apportionment of the Forfeitures. Forfeitures recoverable as those in respect of Irish Money. Recital of St. 2 Hen. 6. chapter 17. Gold and Silver wrought and sold shall be of a certain Fineness. Things wrought of Silver shall be marked with the Leopard's Head, and the Workmen's Mark, within London, and Two Miles thereof. Penalty on the Keeper of the Touch. Apportionment of Forfeitures; Recovery thereof, as of those in respect of Irish Money, under this Act. Aliens being Goldsmiths shall be liable to Search by Wardens of Goldsmiths; Aliens shall inhabit in the open Streets. Goldsmiths' Company shall be responsible for the Warden of the Touch. Recital of St. 5 H. 4. chapter 9. All Alien Merchants shall employ their Money in this Realm, and prove the doing so. Penalty; Forfeiture of Goods, and Imprisonment. Apportionment and Recovery of Forfeitures. Forfeitures incurred before Easter may be recovered before Justices of the Peace. Provisoes as to exporting Gold and Silver, by Ambassadors, &c. Proclamation of this Act. Provisoes as to Forfeitures within Franchises. Provisoes for certain Liberties and Franchises.

c. 3. The Mischief of certain unlawful Games. Whosoever shall allow any of the said Games in his House, or other Place, shall be Three Years imprisoned, and forfeit 20*l.* Apportionment of Penalties. Whosoever shall play at such Games shall be imprisoned Two Years, and forfeit 10*l.* Apportionment of Penalties.

c. 5. Recital of St. 4 Edw. 4. chapter 1. Woolen Cloths, Half-Cloths, &c. shall be sealed with Wax at both Ends, instead of one Seal of Lead. Subsidy and Aulnage of Cloths may be let to ferm upon good Surety.

c. 6. Repeal of a Parliament holden 9 [*vel* 10] Edw. 4. [49 Hen. 6.] and of all the Acts therein made, and of all Exemplifications thereof.

22 Edw. 4.—Incipiunt Statuta apud Westm' edita, anno vicesimo secundo - - - - - - } in part; namely,—
Here begin the Statutes made at Westminster, in the Twenty-second Year - - - - }

c. 1. Former Statutes respecting Apparel. What Kind of Apparel Temporal Men of every Degree and Estate are allowed, and what prohibited, to wear. Justices of Peace shall have Power to hear and determine Offences. The King shall have all Forfeitures, except in the County Palatine of Chester, in Exhamshire, and in the Bishoprick of Durham. This Act shall not extend to Women, except the Wives of Servants and Labourers. Former Acts repealed. The Length of Gowns and Mantles. Proviso in Favour of particular Persons.

c. 2.	The Contents of Vessels of Salmon, Herrings, and Eels; and how Fish shall be packed. Packing of Salmons. Packing of small Fish called Grills. The Contents of a Barrel of Herring, &c. which shall be well and fairly packed. The Contents of a Barrel of Eels, and they shall not be mingled. Packing of barrelled Fish; Chief Officers of Cities and Boroughs, empowered to appoint Searchers to search and gauge Vessels of Fish. Application of Penalties. Saving for Forfeitures in Franchises.
c. 4.	Benefits of Archery. Price of Long Bows shall not exceed 3*s.* 4*d.* Penalty, 20*s.* Application of Penalties.
c. 5.	Evil of using Fulling Mills in the making Caps, &c. None shall full any caps, &c. at any Mill or expose the same to sale. Penalty 40 shillings and forfeiture of the articles. Application of the Penalties.
c. 6.	Swans in the hands of Yeomen and husbandmen. No one but a lord's son shall possess marks or gannes of swans unless he have freehold lands of the yearly value of five marks. Any person so qualified may seize the swans so forfeited.
c. 8. in part.	For Benefit of the Town of Berwick, Merchandises brought out of Scotland or the Isles, shall be first brought to Berwick; or to Carlisle. English Merchandises shall not be carried into Scotland; English Goods shall not be sold to the Scots except at Berwick or Carlisle. Port of Berwick. Salted Salmon. Penalty. Recovery and Application of Penalties. Merchants and Freemen of Berwick shall have to ferm the Waters Royal, and Fishings there. Confirmation of all the Liberties, &c. of Berwick. Saving for the Bishop of Durham :— From the beginning to "Carlisle aforesaid."

RICHARD III.

1 Ric. 3. c. 1.	An Act agaynst pryvy and unknowen Feoffementꝯ.
c. 2.	An Act to free the Subject from Benevolencꝯ.
c. 5.	An Act touching Feoffmtꝭ made to the Kynge to the use of others.
c. 7.	An Act for ꝓclamac̃on uppon Fynes levyed.
c. 14.	An Act for Dysmes graunted in the ꝓvinces of Canterbury and Yorke.

HENRY VII.

1 Hen. 7. c. 1.	An Act that the Demaundant in a forme downe shall have his ac̃on agaynst the ꝑner of the ꝑffyttꝯ.
c. 4.	An Acte for Busshopps to punysh Priests and other religious men for dishonest lyffe.
c. 5.	Tanners.
c. 6.	An Acte that certayne ꝑsons wᵗʰin Sanctuary shall not have any ac̃ons brought agaynst them.
c. 10.	Ꝑ ꝑcatoribꝫ Italie.
3 Hen. 7. c. 1. (1)	Ꝑ Cam̃a Stellaꝫ. An Acte geving the Court of Star-chamber Authority to punyshe dyvers Mydemeanors.
c. [2.] (2) in part.	An Acte agaynst Murderers - - - - in part; namely,— From "And that yf eny man be slayne" to "execuc̃on of the same."

(1) This forms the first paragraph of Chapter 1. in Ruffhead's Edition.
(2) This forms the second paragraph of Chapter 1. in Ruffhead's Edition.

c. 4.	An Acte agaynst fraudulent deedꝯ of gyft.
c. 5.	An Acte agaynst Usury and unlawfull bargayres.
c. 6.	An Acte agaynst Exchaunge and Rechaunge wᵗʰout the Kingꝯ Lycence.
c. 7.	An Acte agaynst Marchantꝯ carrying of goodꝯ from one Port to an other without a certificat from the Customer where the goodꝯ were fyrst entred.
c. 9.	An Acte that the Cytizens of London maye carry all manner of Wares to forrayne Marketꝯ.
c. 12.	An Acte agaynst retayneing any of the Kyng's Tenants.
c. 13.	An Acte agaynst the excessyve price of Longe bowes.
c. 16. (1)	An Act to enable Feoffes in trust to sue for the benefytt of yᵉ Feffors although they be outlawed.
4 Hen. 7. c. 1.	An Act for the graunting forth of Cõmyssions for Sewers.
c. 4.	An Acte that all ꝑsons serving the Kynge beyound the Sea in Bryttayne may have their ꝓtecc̃on of ꝓfectur & moratur (2).
c. 5.	An Act to make voide ꝛes patentꝯ made to Abbottꝯ Pryors & others for gathering and paying of dysmes (3).
c. 6.	An Acte that the Office of Styward Forester keep of the Forest of Inglewood shalbe voide (4).
c. 7.	An Acte that the Yeomen and Gromes of yᵉ Kingꝯ Chamber geve theire Attendauncꝯ on the Kinge.
c. 8.	Wollen Yarn.
c. 9.	Hattes and Cappes.
c. 11.	An Acte for the mayntenaunce of Drapery and making of Cloth.
c. 12.	An Acte for Justicꝯ of Peace for the due execuc̃on of theire Cõmyssions.
c. 17.	An Act agaynst fraudulent feoffmentꝯ tendinge to defraude the Kinge of his wardes.
c. 18.	An Acte agaynst counterfeting of forrayne Coyne.
c. 19.	An Acte agaynst pullyng down of Tounes.
c. 21.	An Acte for the Preservation of the Frye of Fyshe.
c. 22.	An Acte agaynst the deceyptfull waight and working of the golde of Venice Florence & Jeane.
c. 23.	An Acte agaynst carrying awaye of coyne plate vessellꝯ or Jewellꝯ out of this Realme.
c. 24.	An Acte for ꝓclamac̃ons to be made uppon Fynes.
7 Hen. 7. c. 1.	An Act agaynst Captaynes for not paying theire Soldyers theire Wages, and agaynst Soldyers going from theire Captaynes wᵗʰout licence.
c. 2. (5)	An Act for dyvers privilegꝯ to be graunted to ꝑsons being in the Kingꝯ Warrs.
c. 3. (6)	An Acte for Waightꝯ and Measures.

(1) Not in Ruffhead's Edition.

(2) Inclusive of the enactments placed under the heading "An Act for the passing and tʳnsmutac̃on "of landꝯ without Fyne," which before the publication of The Statutes of the Realm had always been printed as part of Chapter 4.

(3) Inclusive of the provisoes entered on the Inrollment and printed 2 Stats. of the Realm, 530, n.

(4) Inclusive of the provisoes entered on the Inrollment and printed 2 Stats. of the Realm, 533, n.

(5) Chapters 2. and 3. in Ruffhead's Edition.

(6) Chapter 4. in Ruffhead's Edition.

c. 5. (1)	An Acte that Abbottꝭ & Pryors shall paye such quinzime & disme as they ought to paye by an Act in the tyme of King Edw. the Fowerth.
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c. 9.	Orford.
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c. 11. (4)	Conc̃ xvᵐᵉ.
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(1) Chapter 6. in Ruffhead's Edition.
(2) Chapter 7. in Ruffhead's Edition.
(3) Chapter 8. in Ruffhead's Edition.
(4) Not in Ruffhead's Edition.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(35 & 36 VICT., 1872,)

ARRANGED IN CLASSES.

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" 3.—CHARITABLE FOUNDATIONS AND INSTITUTIONS.
" 4.—COUNTY AFFAIRS.
" 5.—DRAINAGES AND EMBANKMENTS.
" 6.—ECCLESIASTICAL AFFAIRS.
" 7.—ESTATES.
" 8.—FISHERIES.
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" 10.—HARBOURS, DOCKS, PIERS, PORTS, QUAYS.
" 11.—IMPROVEMENTS IN TOWNS, &c.
" 12.—INCLOSURES AND ALLOTMENTS.
" 13.—MARKETS AND FAIRS.
" 14.—PARISH AFFAIRS.
" 15.—PERSONAL AFFAIRS.
" 16.—RAILWAYS AND TRAMROADS.
" 17.—SMALL DEBTS COURTS, &c.
" 18.—TITHES.
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CONSOLIDATED FUND:

To apply the sum of 5,411,099*l.* 3*s.* 3*d.* out of the Consolidated Fund for the service of the Years ending 31st March 1871, 1872, and 1873. Ch. 1. page 1

To apply the sum of 6,000,000*l.* out of the Consolidated Fund to the service of the year ending 31st March 1873. Ch. 11. page 135

To apply the sum of 8,000,000*l.* out of the Consolidated Fund to the service of the year ending 31st March 1873. Ch. 37. page 244

To apply a sum out of the Consolidated Fund to the service of the year ending 31st March 1873, and to appropriate the Supplies granted in this Session of Parliament. Ch. 87. page 624

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CORRUPT PRACTICES (MUNICIPAL ELECTIONS):

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E.

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K.

KENSINGTON STATION, &c. ACT, 1859:

To enable the Commissioners of Her Majesty's Treasury to pay into the High Court of Chancery in England certain moneys, being the amount paid to the Paymaster General on account of Her Majesty's Treasury in respect of the non-completion of the railway authorised by "The Kensington Station and North and South London Junction Railway Act, 1859" (22 & 23 Vict. c. cxxviii.) Ch. 80. page 578

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LOANS. *See* COUNTY BUILDINGS. ELEMENTARY EDUCATION. POOR LAW PUBLIC WORKS LOAN COMMISSIONERS.

LOCAL COURTS OF RECORD:

To amend the Law relating to Borough and other Local Courts of Record. Ch. 86. page 620

Short title; Sect. 1.
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LOCAL GOVERNMENT BOARD. *See* PUBLIC HEALTH.

LOCAL GOVERNMENT BOARD (IRELAND):

For constituting a Local Government Board in Ireland; and vesting therein certain functions of the Lord Lieutenant, and Privy Council, and the Chief Secretary to the Lord Lieutenant, concerning the Public Health and Local Government, together with the powers and duties of the Commissioners for administering the Laws for the Relief of the Poor in Ireland. Ch. 69. page 463

Short title; Sect. 1.
Establishment of Local Government Board for Ireland, and powers under certain Acts, as in schedule, transferred to such Board; 2.
Constitution, &c. of Local Government Board; 3–5.
Auditors, and annual report; 6, 7.
Extension of powers given by section 6 of Local Government Act (Ireland) (34 & 35 Vict. c. 109.) to cases in which governing bodies incur expenses for permanent works, &c.; 8.
Amendment of Sanitary Act, 1866 (29 & 30 Vict. c. 90.) as to expenses of sewer authority; 9.
As to powers conferred by 34 & 35 Vict. c. 109. respecting markets and fairs; 10.
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LORD LIEUTENANT OF IRELAND. *See* LOCAL GOVERNMENT BOARD (IRELAND).

M.

MAN, ISLE OF. *See* ISLE OF MAN HARBOURS.

MARINE MUTINY:

For the Regulation of Her Majesty's Royal Marine Forces while on shore. Ch. 4. page 66

MARRIAGES (SOCIETY OF FRIENDS):

To extend the provisions of the Acts relating to Marriages in England and Ireland, so far as they relate to Marriages according to the usages of the Society of Friends. Ch. 10. page 133

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To make further provision for Arbitration between Masters and Workmen. Ch. 46. page 284

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MAYO, COUNTESS OF:

To settle an annuity on the Countess of Mayo, in consideration of the eminent services of the late Earl of Mayo as Viceroy and Governor General of India. Ch. 56. page 301

An annuity of 1,000*l.*, in addition to that payable out of revenues of India, to be paid to the Honourable Blanche Julia Countess of Mayo; Sects. 1, 2.

MERCANTILE MARINE. *See* GREENWICH HOSPITAL. MERCHANT SHIPPING AND PASSENGER ACTS AMENDMENT.

MERCHANT SHIPPING AND PASSENGER ACTS AMENDMENT:

To amend the Merchant Shipping Acts and the Passenger Acts. Ch. 73. page 471

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METALLIFEROUS MINES REGULATION:

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Short title, commencement, and application of Act; Sects. 1–3.
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METROPOLITAN TRAMWAYS:

To enable the Board of Trade to dispense with certain provisions of the Tramways Act, 1870 (33 & 34 Vict. c. 78.) in respect of certain Provisional Orders. Ch. 43. page 260
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MIDDLESEX GRAND JURIES:

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MILITARY CANAL:

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Secretary of State for War may grant the Royal Military Canal to any person or body willing to take the same; Sect. 1.
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MILITARY FORCES LOCALIZATION:

To make provision for defraying the Expenses of building Barracks and otherwise providing for the Localization of the Military Forces. Ch. 68. page 457

Short title; Sect. 1.
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MINES REGULATION. *See* COAL MINES REGULATION. METALLIFEROUS MINES REGULATION.

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MUTINY:

For punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters. Ch. 3. page 3

Number of men to consist of 133,649, including those employed at depôts of regiments serving in India, but exclusive of those actually serving in India.

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N.

NATURALIZATION:

For amending the Law in certain cases in relation to Naturalization. Ch. 39. page 251

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P.

PACIFIC ISLANDERS PROTECTION. *See* KIDNAPPING.

PARISH CONSTABLES:

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PAWNBROKERS:

For consolidating, with Amendments, the Acts relating to Pawnbrokers in Great Britain. Ch. 93. page 657

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PENSIONS COMMUTATION:

To extend the provisions of the Pensions Commutation Act, 1871, (34 & 35 Vict. c. 36.) to Officers and Clerks of Telegraph Companies who are entitled to Annuities. Ch. 83. page 584

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POOR LAW:

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PUBLIC PARKS (IRELAND) :

To amend The Public Parks (Ireland) Act, 1869 (32 & 33 Vict. c. 28). Ch. 6. page 127

Short title ; Sect. 1.
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Short title ; Sect. 1.
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——— *See also* BASSES LIGHTS (CEYLON). PUBLIC HEALTH.

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R.

RAILWAY ROLLING STOCK :

To protect Railway Rolling Stock from Distraint when on hire. Ch. 50. page 290

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REVISING BARRISTERS:

To amend the law relating to the appointment of Revising Barristers. Ch. 84. page 585

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ROYAL MARINES. *See* MARINE MUTINY.

ROYAL MILITARY CANAL:

To amend the Royal Military Canal Act, 1867 (30 & 31 Vict. c. 140.) Ch. 66. page 454

Secretary of State for War may grant the Royal Military Canal to any person or body willing to take the same; Sect. 1.
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ROYAL NAVAL RESERVE. *See* MERCHANT SHIPPING, &c.

ROYAL PARKS AND GARDENS. *See* PARKS (ROYAL) REGULATION.

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S.

SALARIES OF JUDGES:

For amendment of the Law relating to the Salaries of Judges. Ch. 51. page 291

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SCOTLAND. *For Acts relating specially to Scotland, see*—
EDUCATION (SCOTLAND). GALASHIELS JURISDICTION.

SELKIRK, COUNTY OF. *See* GALASHIELS JURISDICTION.

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SOCIETY OF FRIENDS. *See* MARRIAGES (SOCIETY OF FRIENDS).

SOLICITOR GENERAL FOR ENGLAND. *See* LAW OFFICERS FEES.

SOLICITORS. *See* ATTORNEYS AND SOLICITORS.

SOUTH SEA ISLANDERS. *See* KIDNAPPING.

SPIRITS, SALE OF. *See* LICENSING.

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STATUTE LAW REVISION:

For further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. Ch. 63. page 402

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For further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. Ch. 97. page 731

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SCHEDULE of Enactments repealed.

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SUPERANNUATION (CIVIL SERVICE):

To amend the Act 4 & 5 Will. 4. c. 24., "to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's service." Ch. 12. page 136

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T.

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TELEGRAPH CLERKS, &c. *See* PENSIONS COMMUTATION.

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TREATY OF WASHINGTON:

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